

THE

# SOLICITORS' JOURNAL.

*NOTICE.—Arrangements have been made for the attendance at Judges' Chambers of a Barrister, who will furnish to this Journal, from week to week, reports of points of law decided in Chambers relating to the New Practice.*

*All letters intended for publication in the "Solicitors' Journal" must be authenticated by the name of the writer.*

## The Solicitors' Journal.

LONDON, NOVEMBER 6, 1875.

### CURRENT TOPICS.

WE UNDERSTAND that a paper is in course of signature by the members of the junior equity bar, recommending that a meeting be called to consider the question of counsel appearing in chambers before the chief clerks.

WE PRINT ELSEWHERE part of the regulations just made under section 14 of the Judicature Act, 1875, adapting enactments relating to attorneys to the solicitors of the Supreme Court. We may hereafter return to these regulations, and shall now only draw attention to the provision that, as regards all persons now under articles, and who have not yet passed the intermediate or final examinations, all notices given and examinations to be made, in pursuance of such notices, and the subjects notified as the subjects for examination, shall respectively be deemed to be notices, examinations, and subjects given, made, and notified respectively under the new orders. We are informed that the Final Examination to be held in January next will embrace the Judicature Acts and the rules thereunder. The law and practice of probate and divorce will, at the same time, be made a new subject of examination. It is not, however, essential that the last-mentioned subject should be taken up.

THE NEW PROCEDURE has already seen its successes and its failures, and it is right to add that the successes are substantial and the failures slight and accidental. All those who were most nearly affected by the new practice, as administered at chambers, were gratified to learn that so experienced and able a judge as Mr. Justice Lush had undertaken, for some time at least,

to fulfil the onerous duties of judge at chambers. As the Act came into force before the courts assembled, it was at chambers that it first found its application, and, by a curious accident, one of the earliest cases falsified in its result the gloomy predictions of the "Lawyer" who announced to the world that it would hereafter cost £250 to obtain a result which, under the old practice, could be secured for £5. The public may be relieved to learn that it has been found possible, for an expenditure probably not much exceeding three guineas, to stay about ninety actions brought against a company in course of winding up. A correspondence in the number of the actions actually stayed induces us to surmise that the case to which we refer may be the very same which excited the "Lawyer's" apprehensions.

With respect to pending business much difficulty was anticipated. The order recently promulgated at judge's chambers, and the directions given by the judges of the Chancery Division, have, to some extent, prevented embarrassment. Their general tendency is to bring under the new system as much of the pending business as can be conveniently carried on by means of it. Although the learned judges at Westminster cannot be said to have displayed, with reference to pending business, such an enthusiastic longing to grapple with the new statute as some practitioners evince, they have usefully exercised a kind of obstetrical skill in bringing it into life, and have dexterously, and with laudable cunning, put aside difficulties which need not be violently handled. They doubtless recognize the hardship of making a certain number of litigants, whose causes happen to be in suit at a transition period, bear an unusual cost in order that points of practice which will have no future value, should be for the moment determined.

SINCE THE VACANCY occurred in the office of Attorney-General there has been a good deal said about the necessity for continuing the division of the law officerships between members of the two bars. Assuming that Sir John Holker remains a law officer, it is said that his colleague will have to be found at the equity bar. There may be some foundation for the notion in the origin of the office of Solicitor-General; the arrangement suggested is, moreover, very convenient. But, considering the way in which the notion has been disregarded in recent times, it is curious that there should be supposed to be any custom on the subject. As a matter of fact, it has been quite usual for both the law officers to be members of the common law bar. So long ago as 1844 there were two common law officers, Sir W. Follett and Sir F. Theisger; shortly after Sir T. Wilde and Sir John Jarvis held office together, and in 1852 Sir F. Theisger and Sir F.

Kelly were Attorney and Solicitor-General. In recent years it is only necessary to mention Sir John Karslake and Sir Balil Brett, who held office together; Sir R. Collier and Sir J. D. Coleridge, who were Attorney and Solicitor-General in 1868-71; and Sir H. James and Sir W. V. Harcourt, the law officers of the late Government.

THOSE OF OUR READERS who are also readers of the *Law Reports* will observe in the November part of the equity series, issued to subscribers yesterday, a memorandum as to the costs of three counsel, James, L.J., being reported to have said on the 6th of July, that "the Lord Chancellor, in concurrence with the Lords Justices, and after communication with the taxing masters, had laid down, as a rule, that the mere fact of a junior counsel in a cause having been appointed one of her Majesty's counsel was not a sufficient reason for allowing on taxation the costs of briefs to three counsel." It will be observed that this is a very carefully guarded statement, and that the rule will not preclude the consideration of whether, under the special circumstances of each particular case, the costs of a third brief may not be allowed. In fact, only two days after the remarks of the Lord Justice had been made, and while they had been reported only in the newspapers, they were brought before the attention of Vice-Chancellor Bacon, who, after discussing their meaning, allowed the costs of a brief to a junior counsel brought in after the original junior had been called within the bar. The case (*In re C. Lafitte & Co.*) is fully reported in this week's issue of the *Weekly Reporter*.

### THE NEW PRACTICE.

**STAMPS.**—It may be useful to draw our readers' attention to the notice issued by the Inland Revenue, which will be found in another column, stating that the use of the temporary stamps marked "Judicature Fees" is not obligatory.

**COMMISSIONERS TO ADMINISTER OATHS.**—We are enabled to state on authority that the designation of a commissioner to administer oaths in proceedings in the Supreme Court is now settled as "A commissioner to administer oaths in the Supreme Court of Judicature in England."

**TESTE OF WRITS.**—The question with reference to the *teste* of writs issuing out of the High Court of Justice in the name of the Lord Chancellor, required by order 2, rule 8, of the Rules of Court, which excited no little commotion last week among London officials, has now been settled by authority as follows:—"Witness, Hugh MacCalmont Baron Cairns, Lord High Chancellor of Great Britain, at Westminster, this      day of      , 1875." While on this subject we may mention that before this decision had been arrived at, a certain provincial official in one of the district registries had already summarily disposed of it. Finding that the rule requires that all writs be tested in the name of the Lord Chancellor, and exercising his own independent judgment in the matter, the official alluded to put it thus:—"Witness, the Lord Chancellor, at Westminster, the 1st day of November, 1875. Cairns, C., per A. B., Registrar."

**FEES OF COURT.**—The new order as to court fees introduces several material alterations. Rule 4 provides that the "existing fees and per-centages which shall have become due or payable before the commencement of the Judicature Acts, 1873 and 1875, and the existing fees and per-centages in respect of any proceedings in any cause or matter pending at the commencement of the said Acts, and in respect of which no fee or per-centage is hereby pro-

vided," are not to be affected. In other words the fees payable on orders remaining on the 30th of October to be drawn up will be on the old scale; those on all proceedings on and after the 1st of November, 1875, will be on the new scale. It is to be observed that the fee on all orders, except orders of course, is now reduced to one uniform level of £1 for the higher and 10s. for the lower scale, while on orders of course it is 5s. on the higher scale and 3s. on the lower. The suitor, therefore, upon every decree saves £2 if the action is on the higher scale and 10s. if on the lower; but this is compensated by the fact that a fee on setting down actions is established, and the amount of this fee is £2 if the action is on the higher scale, and £1 if on the lower. The fee for setting down applies also to all appeals. These fees on setting down are quite new in the Chancery Division, and will be in addition to the fee of 4s. on the Record and Writ Clerk's certificate, where that is required. As regards appeals, the fact that the troublesome appeal deposit is abolished will form some slight compensation to suitors, and as to the other matter referred to, it amounts to little more than the payment of a fee at an earlier, instead of a later, stage of the action.

**FIGURES IN PLEADINGS AND AFFIDAVITS.**—A Correspondent has raised a question on a very important subject, namely, "How are figures to be counted?" Order 19, rule 4 of the Rules of Court, clearly applies to pleadings only, and in rule 5, which says that every pleading which shall contain less than three folios of seventy-two words each (every figure being counted as one word) may be either printed or written, &c., the words between brackets only apply to the particular case of that rule. That is to say, they will serve for the purpose of ascertaining whether a pleading may be, or whether it must be, printed, and for no other purpose. We conclude that as all the rules relating to the counting of figures are framed in accordance with the practice in chancery, they are inserted more for the guidance of the Westminster divisions than with the intention of establishing any new practice. This being the case, the rule as to counting folios for the purposes of taxation, will in all divisions of the Supreme Court be that hitherto in force in chancery. All dates and sums written in figures in the body of a pleading or of an affidavit will be counted, for the purposes of taxation, as if written in full; for instance, "1875" will count as seven words; therefore "Writ issued 3rd August, 1875," will, for the purpose of taxation, count as eleven words; while for the purpose of ascertaining whether a pleading must be printed, such a sentence would only count as eight words. In a column, whether of an affidavit or of a pleading, every figure counts as one word. As regards affidavits, the Record and Writ Clerks are following this, which was their former practice, and we have little doubt it will be followed by the taxing masters.

**APPEALS FROM THE ADMIRALTY DIVISION.** Mr. Charley has on two occasions usefully employed himself in correcting the errors of gentlemen who have written to the *Times* to propound difficulties in the new procedure. On Monday last he pointed out, as we had previously done, the error of the writer who raised a difficulty about appeals from the Court of Admiralty; but in doing so he himself fell into a curious mistake. He says:—

"It will be perceived that a singular result of this legislation is that there will, for the next year at all events, be a double appeal in admiralty causes where there was only a single appeal before. Instead of a single appeal to the Privy Council, 'E. R.' will have the luxury of appealing first to the new Court of Appeal, and then, if defeated there, from the new Court of Appeal to the House of Lords. This double appeal was introduced with a view to rendering the new appellate jurisdiction of the House of Lords in admiralty causes as little burdensome as possible. The appellate jurisdiction of the

House of Lords was extended last session, instead of being destroyed."

The words of the section are, "An appeal may be brought to the House of Lords from any judgment or order of the Court of Appeal hereinafter mentioned in any case in which any appeal or error might now be brought to the House of Lords, or to her Majesty in Council from a similar judgment, decree, or order of any court or judge whose jurisdiction" is transferred. In order, therefore, to ground an appeal under this section a judgment or order must have been made by the new Court of Appeal; further, it is necessary that before the Act an appeal should have lain to the House of Lords or the Privy Council from a like judgment or order. Mr. Charley says that a judgment or order made by the new court, on appeal from the Admiralty, may, under these words, be itself appealed to the House of Lords. If so, it follows that the like judgment or order would have been, under the old law, appealable to the House of Lords or the Privy Council; in other words, Mr. Charley says that under the old law a judgment or order of the Privy Council, on appeal from the Court of Admiralty, would have been appealable to the House of Lords or to the Privy Council itself. The last branch of the alternative is scarcely intelligible; the first would be difficult to prove.

**PENDING ACTIONS.**—We drew attention, a fortnight ago, to the expense and trouble which would result if, under section 22 of the Judicature Act, 1873, separate applications had to be made in each pending action as to whether it should be continued under the old or the new procedure; and we urged the necessity of a general order to relieve practitioners from their perplexity. The judges have, as we pointed out must be the case, rejected the construction of section 22 which was suggested in some quarters, viz., that it left the discretion to proceed under the old or the new practice to the parties, and have held that a separate application is necessary in each case. But on Tuesday last a general direction was issued at chambers "in order to save the expense and inconvenience of separate applications for directions as to the form and manner of procedure in actions commenced before the 1st of November last." The effect of the direction is that where no declaration has been delivered, the action will be continued according to the new procedure; but in other cases the action will be continued up to the close of the pleadings under the old procedure, and after the close of the pleadings under the new procedure; but either party may apply at any stage for an order that the new procedure be adopted. It will be observed that this order speaks only of the declaration being delivered, and was obviously intended only to regulate the procedure in the Queen's Bench, Common Pleas, and Exchequer Divisions. The Master of the Rolls on Wednesday last directed that in all pending suits where no replication had been filed nor notice of motion for a decree served, the suit should proceed according to the old practice up to the time of filing replication or giving notice of motion for a decree, and afterwards according to the new practice. In all cases parties to pending suits might apply at chambers for a direction that the proceedings should be taken under the new system, but such direction would not be given without special reasons. Vice-Chancellor Hall on the same day made a similar announcement, adding that in all cases of suits commenced under the old practice, in which the state of the pleadings admitted it, he should give every facility for raising counter-claims. On Thursday the other Vice-Chancellors announced that they should adopt a similar course.

**COPIES OF PLEADINGS, &c.**—Considerable uncertainty prevailed during the earlier part of the present week as

to whether the provisions of orders 1, 2, 3, 4, and 5 of the "Additional Rules" (12th of August, 1875), were to be applied to both old and new causes and matters, and some confusion resulted. The rules alluded to (affecting chiefly the Record and Writ Clerk's office, so far as the official departments are concerned) have reference to making, printing, and delivering office copies and other copies of pleadings, affidavits, depositions, &c., and as these are matters requiring the daily, one might say hourly, attention of the practitioner, some early information as to how the question has been settled may be useful. We are able to state that the Clerks of Records and Writs have been instructed by the Master of the Rolls to apply the provisions of the above rules in both old and new causes and matters, and this conclusion would seem to be in perfect harmony with the intention of the rules, the duties required being as easily performed by the practitioner in an old cause or matter as in a new one. Indeed, the rules in question are, after all, simply a repetition of the like rules as to "copies," &c., appended to the Consolidated General Orders issued in 1860, with this addition, however, that now *all* printing of pleadings and evidence is to be done by, or under the direction of the solicitor.

A few remarks may, perhaps, be usefully added, showing the intended future working and application of the rules above referred to, so far as respects printing, and making and taking office copies.

(1) As to printing affidavits and depositions.—All affidavits to be used at the hearing of a cause, or on the trial of an action, *must* be printed, and in all other cases the affidavits to be used *may* be printed if parties so desire. And inasmuch as all such printing will henceforth be done under the direction of the solicitor, it is suggested that the form heretofore adopted in cases where evidence was printed under the direction of the Clerks of Records and Writs, should be followed; for instance, that the formal parts of the front page and of the indorsement should be similar to the forms adopted in those respects by the Clerks of Records and Writs. To enable the solicitor to print any deposition, he must first procure from the officer with whom the original is filed "a copy written on draft paper on one side only."

(2) As to office copies.—An office copy of every affidavit and deposition must be taken for the general purposes of the cause or matter. The copy is, in every case, to be prepared by the solicitor, and left with the officer with whom the original is filed, who will examine it with the original and mark it as an office copy, charging two-pence per folio for the same. If the affidavit or deposition need not be printed, and is not printed, then a written copy must be so left, but if the affidavit or deposition *must* be printed, or is printed, then a printed copy must be so left. In either case the copy intended for an office copy must be printed or written upon cream wove paper similar to that on which pleadings are to be printed, and the folios must be "numbered consecutively in the margin thereof." Where any office copy is not prepared or made by the solicitor, but by the officer with whom the original is filed, sixpence per folio will be charged as the official fee, and it seems to be considered very doubtful whether two-thirds of that charge, or fourpence per folio, will eventually be allowed to the solicitor in the taxation of costs in the cause or matter.

#### CASES OF THE WEEK.

**TRANSFER OF SUITS.**—In a case of *Paul v. Farquhar*, a suit instituted in the Court of Chancery before the coming into operation of the Judicature Act, an application was made on Wednesday to the Lord Chancellor, for the transfer of the suit from the Rolls Court to the court of one of the Vice-Chancellors. Application had been made to the Master of the Rolls for his consent to the transfer, in accordance with the old practice. His lordship, while expressing his willingness to give his consent, if it was necessary that he should do so, said that he thought such applications a mere waste of



time, and that the order for transfer could be made without any application to the judge of first instance. The Lord Chancellor considered that the consent of the judge of first instance to the transfer of a cause was never necessary under the old practice except as a matter of courtesy, and he held that, when the consent of the parties was obtained, an order for transfer should in future be made without the form of asking the consent of the judge of first instance, which indeed was always given as a matter of course. This puts applications for the transfer of old suits on the same footing as similar applications in actions under the new practice, the rules of court (order 51, rule 1) providing that any action may be transferred from one judge to another of the Chancery Division by an order of the Lord Chancellor. On Friday afternoon, in *Re Helley*, the Court of Appeal (in the absence of the Lord Chancellor) laid it down distinctly that the Lord Chancellor alone has now the power to make orders for transfer, even in the case of suits commenced before the 1st of November.

**AMENDING PETITION OF APPEAL.**—In another case, (*Dixon v. Burnycroft*), heard by the Court of Appeal on Wednesday, application was made on behalf of an appellant who had presented a petition of appeal, before November, from part of a decree, for leave to amend the petition of appeal by extending it to other parts of the decree. The court, having regard to the fact that, under the rules of court (order 58, rule 2), all appeals are to be brought by way of motion, gave the appellant leave to serve such notice of motion as he might be advised for the purpose of extending the subject of his original appeal.

**FIAT ON PETITION VACATED.**—In another case *Re The British Imperial Insurance Corporation*, heard by the Court of Appeal on the same day, a petition for the winding up of a life assurance company had been presented by two policyholders. The petition was entitled only in the matter of the Companies Acts of 1862 and 1867, and in the matter of the particular company. No reference was made to the Life Assurance Companies Act, 1870 (33 & 34 Vict. c. 61). The petition was presented on the 21st of October, and was answered by the Lord Chancellor's secretary in the ordinary form for November 5. The 21st section of the Act of 1870 provides that, in the case of a petition for the winding up of such a company presented by policyholders or shareholders, "the court shall not give a hearing to the petition until security for costs for such amount as the judge shall think reasonable shall be given, and until a *prima facie* case shall also be established to the satisfaction of the judge." In *Re The European Assurance Company* (19 W. R. 881), Lord Hatherley expressed an opinion that petitions of this kind ought to be answered by a special form of *fiat*, directing a preliminary inquiry, whether a *prima facie* case had been established, to be made before the judge in chambers, the object of the provision of section 21 being to prevent the petition being advertised, to the possible injury of the company, until this preliminary inquiry had been satisfactorily answered. Since that time it has, we believe, been the practice to answer such petitions by a special *fiat* in the form suggested by Lord Hatherley. In the case before the court on Wednesday, the company asked to have the *fiat* of the Lord Chancellor's secretary vacated. The petitioners urged that, under the particular circumstances of the case, they had ceased to be policyholders and had become creditors of the company. The court was of opinion that the petition did not sufficiently state the facts of the case so as to show whether the provisions of the Act of 1870 applied to it or not, and therefore the *fiat* ought to be vacated, and the petition should be treated as if it had never been answered. Then, having regard to the changes in the practice introduced by the Judicature Acts, the petition should be referred to the Vice-Chancellor with whose name it was marked, with an intimation of the opinion of the Court of Appeal that he should treat it as if it were a petition now presented to the Chancery Division of the High Court of Justice. The Vice-Chancellor would then consider the question whether the requirements of the Act of 1870 had been duly complied with.

**QUORUM OF THE COURT OF APPEAL.**—On Thursday the Court of Appeal was constituted only of the two Lords Justices, the paper for the day consisting exclusively of appeal motions from orders made before November in previously instituted suits and matters. One of these cases was an appeal from an order made upon an adjourned summons with regard to the construction of a will; a second was an appeal from the refusal of a Vice-Chancellor to rectify the register of shareholders of a company by omitting the appellant's name therefrom; a third involved the question whether the appellant was liable to be placed on the list of contributories of a company in liquidation; a fourth involved the determination of conflicting claims to a fund in court, which constituted the only asset of another company in liquidation. With regard to all these cases, the question at once arose whether, under section 12 of the Judicature Act, 1875, two judges of the Court of Appeal were competent to hear the appeal. This section provides that "Every appeal to the Court of Appeal shall, where the subject-matter of the appeal is a final order, decree, or judgment, be heard before not less than three judges of the said court sitting together, and shall, where the subject-matter of the appeal is an interlocutory order, decree, or judgment, be heard before not less than two judges of the said court sitting together. Any doubt which may arise as to what decrees, orders, or judgments are final, and what are interlocutory, shall be determined by the Court of Appeal." With regard to all the above-mentioned cases their lordships were of opinion that there was at any rate a doubt whether the orders appealed from were final or interlocutory, and, moreover, that two judges were not competent to determine the doubt. It must be determined by the Full Court of Appeal. The result of this will probably be that the majority of the appeals in the liquidations of companies and in bankruptcies must in future be heard by three judges. Under the old practice these appeals, inasmuch as they were brought on by motion, were often disposed of by a single judge of the Court of Appeal.

**PENDING ACTIONS.**—In a case of *Elford v. King*, in the Queen's Bench Division, on Thursday, upon an application to rescind an order for reference, the question arose whether the application should have been made under the new procedure, under which notice should have been given to the other side to appear and oppose, under order 53, rule 4. The court granted a rule *nisi*, but the Lord Chief Justice told the learned counsel that he must take it subject to any objection which might be raised hereafter as to the necessity for notice.

**PENDING PROCEEDINGS.**—In the Common Pleas Division on Wednesday, in a case of *Hall v. Lond and North-Western Railway Company*, counsel moved for a rule to enter a verdict for the defendant on the findings of the jury. The case was tried in Middlesex at the Common Pleas sittings after Trinity Term, when a verdict was found for the plaintiff for £5 coupled with a special finding. On a doubt being raised whether notice of motion should have been given under the Judicature Act, 1875, ord. 53, r. 3, which provides that if on the hearing of a motion or other application the court shall be of opinion that any person to whom notice has not been given ought to have or to have had such notice, the court may either dismiss the motion or application, or adjourn the hearing thereof, in order that such notice may be given, upon such terms, if any, as the court may think fit to impose, the Court (Lord Coleridge, C.J., and Brett and Grove, J.J.) directed (under the Judicature Act, 1873, s. 22) that the old practice should prevail.

**STRIKING OFF THE ROLLS.**—By section 14 of the Judicature Act, 1875, the Chief Justice of England, the Master of the Rolls, the Chief Justice of the Common Pleas, and the Chief Baron are enabled from time to time by regulation to adapt any enactments relating to attorneys to the solicitors of the Supreme Court. No such regulation had been issued up to Wednesday, and the question arose on that day (in *Ex parte Ernest Payne*) before the Queen's Bench Division, what course should be taken upon an application by a solicitor to be struck off the rolls. The Lord Chief Justice pointed out that the only jurisdiction of the Queen's Bench



in the matter of striking an attorney off the rolls before the Act was to strike his name off the roll of the Queen's Bench, and the other courts did the same with regard to their own rolls, on the order of the Queen's Bench being lodged with their proper officer. But now both attorneys and the roll of the Court of Queen's Bench were things of the past. Mr. Justice Quain observed that the applicant wished to be struck off the roll of the Supreme Court, and that he ought to apply to the Supreme Court to have it done. But, he added, that as the Supreme Court never sat, and never was intended to sit, and was in fact rather an abstraction than a judicial entity, he might find some difficulty in making the application. The Lord Chief Justice then said—"We are in this unfortunate dilemma: we cannot strike the applicant off the roll of the Supreme Court, for we are not the Supreme Court. We cannot strike him off the roll of this court, for such a roll does not exist." Counsel urged the provisions of section 87 of the Act of 1873, under which the High Court, or any division or judge thereof, is authorized to exercise the same jurisdiction in respect of solicitors as any one of the superior courts might before the passing of the Act have exercised. After the learned judges had consulted together, their lordships made the order, *valent quantum*, directing the solicitor's name to be struck off the roll of the Supreme Court.

### JUDGES' CHAMBERS.

(Before FIELD, J.)

Monday, Nov. 1.—**STAYING ACTIONS.**—Counsel moved *ex parte* to stay about ninety actions brought by shareholders against a company to recover back calls, on the ground that the shareholders had been induced to take the shares by fraud imputable to the company. Writs and declarations had been issued, and the time for pleading was up on Tuesday, and several summonses for discovery and interrogatories were pending, and great expense would have been incurred by delay. The company was in voluntary liquidation.

FIELD, J., in exercise of the powers given to him by the Companies Acts and the Judicature Act, stayed the actions.

(Before LUSH, J.)

Thursday, Nov. 4.—**AFFIDAVIT IN SUPPORT OF SUMMONS**

**FOR DISCOVERY.**—On a summons for discovery being handed in to the learned judge, a difficulty was raised as to the necessity for an affidavit in support of the summons, such an affidavit not being required by the rules of court (Judicature Act, 1875, ord. 31, r. 12). The defendant had pleaded, but replication was not delivered.

LUSH, J.—As the cause is not at issue it must be governed by the rule recently made as to pending business, and all steps taken must be governed by the old rules of practice. Summonses accordingly adjourned.

**AFFIDAVIT IN ANSWER TO INTERROGATORIES.**—Application was made for leave to file an affidavit in answer to interrogatories. The clerk had refused to file it because it was not printed.

LUSH, J., ordered it to be filed, as it was in a cause in which the pleadings were already commenced.

**SOLICITORS' CERTIFICATE.**†—An application was made by a solicitor with regard to the renewal of his certificate.

LUSH, J.—I think that under the rules made yesterday the application must now be made to the Master of the Rolls, and not, as hitherto, either to the Master of the Rolls or to a judge in chambers. The application is refused for the present.†

**MAKING UP THE PLEADINGS.**—An application was made on

\* Reported by N. H. Paterson, Esq., Barrister-at-law.

† The following cases are reported by A. H. BITTLESTON, Esq., Barrister-at-law.

† "All applications to dispense with any rule or rules as to any re-admission or taking out or renewal of certificates, shall be made to the Master of the Rolls in such manner as he shall from time to time direct." See rule as to re-admission, and the taking out and renewal of certificates.

behalf of the associates as to the manner in which the pleadings in pending business were to be made up.

LUSH, J.—In all causes which were at issue before the 1st of November the record must be made up as of old; in causes in which issue is joined after that date the pleadings in the action are to be taken in paper, according to the new Act.

**APPLICATION TO STRIKE OUT DEFENCE.**—An application was made under the new Act on the part of the plaintiff in an action to strike out the defence of the defendant by reason of his having failed to comply with an order to answer interrogatories. Adjourned at defendant's request till Monday for counsel.

**STAMPING.**—Summonses under the old Act are to be stamped as formerly.

### THROUGH CARRIAGE AND THROUGH TICKETS.

THE recent decision of *Hall v. North-Eastern Railway Company* (23 W. R. 860, L. R. 10 Q. B. 437) takes us one step forward, in the sense of *solvit ambulando*, to the solution of a difficult class of questions relating to railway transit. But to understand its position it may be convenient to notice the following results of decided cases on the subject.

First, it will be substantially accurate to say (although it is possible for contracts to be worded otherwise) that whenever persons or goods are accepted by a railway company, which receives the whole fares, to be carried or sent to a place beyond its own limits, the contract will be held to be one entire contract with the receiving company, to the exclusion of any contract with other companies over whose line the transit may in part take place (*Bristol and Exeter Railway Company v. Collins*, 7 H. L. 794; *Webber v. Great Western Railway Company*, 13 W. R. 755, 3 H. & C. 711; *Coxon v. Great Western Railway Company*, 5 H. & N. 274), unless, indeed, the receiving company express themselves to contract as agents for the other companies in respect of the transit over their respective lines.

Secondly, it follows from this that the contracting company is liable for all matters occurring on other lines than its own as if the lines were its own; so that it is even held liable for accidents to passengers occurring off its own line without any negligence on the part of its own servants, but through the sole negligence of the company owning the lines; and that equally, whether it travels over that line by virtue of running powers or under a voluntary arrangement (*Blake v. Great Western Railway Company*, 10 W. R. 388, 7 H. & N. 987; *Thomas v. Rhymney Railway Company*, L. R. 6 Q. B. 266). But from *Wright v. Midland Railway Company* (L. R. 8 Ex. 137), where it was held that the company was not liable for an accident caused on its own line by the sole negligence of another company which had running powers over it, it follows that the contracting company would be equally free from liability for an accident caused on another company's line by the negligence of a third company having running powers over that line.

Thirdly, however, it is competent to any company thus contracting for the whole transit to protect itself by contract from liability for loss or damage occurring off its own line, a contract which, as not relating to its own line, is not affected by the Railway and Canal Traffic Act (*Aldridge v. Great Western Railway Company*, 15 C. B. N. S. 582; *Zunz v. South-Eastern Railway Company*, L. R. 4 Q. B. 539), the effect of which stipulation, coupled with the entireness of the contract, will be that for loss or damage off the contracting company's line there may be no remedy at all, not against the contracting company because of the stipulation, nor against the company where the loss or damage occurred for want of a contract (*Coxon v. Great Western Railway Com-*

pany, 5 H. & N. 274; *Mytton v. Midland Railway Company*, 4 H. & N. 615).

Fourthly, however, this last statement must be taken subject to the qualification that, although there may be no express contract with the company through whose negligence the loss or damage happens, yet that company may be liable in tort on their obligation as common carriers, or, perhaps more correctly, as bailees intrusted with the goods or with the passenger's person (*Pozzi v. Shipton*, 8 A. & E. 963; *Marshall v. York and Newcastle Railway Company*, 11 C. B. 655; *Martin v. Great Indian Peninsular Railway Company*, L. R. 3 Ex. 9), in which latter case Channell, B., limits his judgment in favour of the count in tort by saying that "it is not to be considered as charging the mere breach of a contract by non-performance, but as charging something done by the defendants in the nature of an affirmative act injurious to the plaintiff's property." It is possible that this class of cases is to be reconciled with those previously cited in some such way as is indicated by these words, and that the liability of the company with whom the contract is not made is to be limited to acts of negligence and the like, and does not include liability for the non-performance of acts which they were not under contract to perform, or even for loss or damage in respect of which no negligence can be imputed to them. But this point is certainly at present involved in some obscurity.

Fifthly, the point was raised in *Bristol and Exeter Railway Company v. Collins* (7 H. L. 794), in the whole course of which a most striking variety of opinion was displayed, whether, if the contract were construed as a contract with each successive company in the line of transit, the conditions which limited the contract with the receiving company would attach themselves to each successive contract, or whether the new contracts would be open and unconditioned. Upon this, as with respect to the other branch of the case, opinion differed; but the other branch of the case being decided as it was, that is, in favour of the through contract, no authoritative opinion could be pronounced upon this point. The recent case of *Hall v. North-Eastern Railway Company* has some bearing on this question. There the plaintiff had obtained from the North British Railway a free pass to travel with cattle on a journey which extended on to the defendants' line. The free pass, as usual, exonerated the company issuing it from all risk. The plaintiff was injured on the defendants' line by their negligence, and the question was whether he could sue them. It was held that when he presented his pass to the defendants and travelled under it he so travelled upon the same terms with them as with the company which issued it. "The plaintiff claimed to travel on the North-Eastern line without paying any fare, and therefore on the same terms on which he travelled free on the North British line." The question was entirely novel, and Quain, J., concurred not without hesitation. On the cases it would seem clear that the contract was a contract for the entire journey with the North British Railway Company, and that any action on the contract must have been brought against them; but yet a condition in that contract availed as a defence to the defendants. In the case, then, of a passenger, are there two sets of contracts; one entire contract with the original company, and another set of special and particular contracts with each carrying company in succession? This seems very contrary to the course of decision. But if there were not separate contracts, in what shape does the defence arise? If it were held that the contract was not single and entire, but with the original company on its own account for the whole, and also as agent for the other companies for their respective parts, the difficulty would be solved; the terms would necessarily attach. But the decisions are opposed to this view. Yet sense and justice seem to require it, and the difficulty of giving effect otherwise to the meaning and intention of the parties is patent, and is strikingly

shown by some of the cases above cited. "When he engaged," says Blackburn, J., "to travel at his own risk, he engaged with the North British Company that he should be carried on to Newcastle exactly on the same terms as if the North British line extended to Newcastle. But what is wanted is an engagement with the North-Eastern; if the words mean that; (they do not express it) it is the doctrine of separate contracts." But for the decisions, one of which, being in the House of Lords, is past reversal, we might hope that some such conclusion might be reached; as the matter stands, we seem landed in a hopeless dilemma, which the language of the learned judges in *Hall v. North-Eastern Railway Company* does not solve, but only evades. Meanwhile, it is to be observed that a similar question might arise with respect to goods; must we conclude that there also there would be a similar implied presentation (as it were) of the contract under which the goods travelled, with the goods, to the carrying company, and an acceptance by the carrying company on those terms? There seems as strong reason to say so as to hold as was held in *Hall v. North-Eastern Railway Company*. But what is the difference between saying this, and saying that the original company contracted with the passenger or owner on behalf of all the companies? It seems only expressing the same result in an intricate and roundabout way. We by no means say that, to say the latter, would not be very good sense; but the decisions are difficult to bend in the required direction.

#### THE COUNTY COURT CONSOLIDATED RULES.

CONSIDERING the importance of the changes introduced into the practice of the county courts by many of these rules, it is greatly to be regretted that they were not issued earlier. The Judicature Act, 1873, which provides (section 91) that the rules of law enacted therein shall be in force and receive effect in all courts whatsoever in England, came into operation, as we all know, on Monday, and the County Courts Act of last session commenced on Tuesday; yet the Treasury order regulating court fees, which is appended to the Consolidated Orders, bears date only a week before the last-mentioned day. The orders themselves were only issued last week, and up to the time of writing we have not received the forms referred to in the rules. This is hardly fair to practitioners, who find themselves compelled, just when active work is recommencing, to master a code of rules including forty orders and extending over 120 pages.

Fortunately the greater part of the matter is already familiar, as forming part either of the rules of 1868 or 1870, or the equity rules. All those rules are abrogated, and we have now brought together the rules of practice in the county courts in all proceedings except those under the Bankruptcy Act, the Charitable Trusts Acts, and the Probate Acts. We propose briefly to glance at some of the novel provisions.

First in importance, of course, must be ranked the rules which are framed to meet the changes in the law introduced by the Judicature Act, 1873. The provisions of section 24 are carried out by the adoption of several of the rules contained in the schedule to the Judicature Act, 1875. Rules 1—11 of order 16 of the Act of 1875, relating to parties, are reproduced in the rules now under consideration (see order 5; order 17). Among these is the important provision with reference to partners suing and being sued in the name of their firm; and there is appended to this rule a proviso enabling the plaintiff who desires to obtain judgment against each member of the firm to state the names of the persons he believes to be co-partners, and to file an affidavit and copy setting forth the grounds of his belief; such copy is to be attached to the summons, with a notice that, if sufficient cause be not shown at the trial, the judge will order judgment against all the persons whose names

are so given and verified; and it is provided that the judge may at the trial give judgment against all the persons whose names have been inserted in such notice, and who have been duly served with the summons, with copy affidavit and notice annexed. It is subsequently provided (order 8, rule 12, following the rule as to writs of order 9, rule 6, of the Judicature Act, 1875) that the summons may be served upon any one or more of the partners, or, at the principal place of business of the partnership, upon any person having apparently the management of the partnership business there.

Another of the rules reproduced from the Judicature Act, 1875, is that enabling one or more of the parties to sue or be sued, or, by authority of the judge, to defend on behalf of all parties interested (order 5, rule 8). As to this it is subsequently provided that where the plaintiff sues on behalf of others in the same interest, the defendant may avail himself of any defence in respect of each of the persons in whose behalf the plaintiff sues, as if he had been plaintiff; where the defendant desires to defend on behalf of others in the same interest he must within two clear days of the service of the summons, apply to the registrar for leave to defend, filing an affidavit of the facts on which he relies, with the names and addresses of the persons on whose behalf he desires to defend (order 9, rules 1, 2).

Provision is made by order 10 for notice to be given of counter claim or claim to contribution, and order 17 of the Judicature Act, 1875, as to joinder of causes of action, is reproduced in order 6 of the present rules.

It will be remembered that by the County Courts Act of last session the plaintiff in any action for a debt or liquidated money demand above £5 (or under £5 if the action is for the price of goods sold or let to the defendant to be used in the way of his trade, or if the leave of a judge or registrar has been obtained) is enabled at his option, upon affidavit, to issue a default summons in a special form given in the schedule, to be personally served on the defendant, unless the judge or registrar gives leave to proceed as if personal service had been effected. The new rules add the requirement that the summons shall be served within six months from its date (order 8, rule 27), and if not returned to the registrar within six months from the date of issue the summons will be struck out of the plaint book, unless the time for service has been extended. It may be served in any district in which the defendant may be met with. Service on a husband living with his wife is to be deemed good service on the wife (rules 28—30). The statute provides (section 1) that if the defendant does not, within sixteen days after such service, give notice in writing to the registrar of his intention to defend, the plaintiff may, after sixteen days and within two months of the day of service, upon proof of service, have judgment entered up for the claim and costs. Here the rules step in and provide that where service of the default summons has been effected, and no notice of intention to defend has been given, judgment shall not be signed after six months from the date of service, but if any defendant has not been served, the plaintiff may, within the twelve months, upon satisfying the registrar that reasonable efforts have been made to serve such defendant or for other good reason, issue a successive summons (order 8, rule 31).

Order 11 regulates the mode of obtaining, upon affidavit, *ex parte* interlocutory orders for an injunction, the appointment of a receiver, the protection of property, the taking of samples, &c. Passing over this order, and that relating to discontinuance (order 12) we come to that (order 16) relating to trial. Here we find inserted the rule in the schedule to the Judicature Act, 1875, providing that nonsuit, unless the judge otherwise directs, shall have the same effect as a judgment on the merits for the defendant.

In commenting on the provisions of the County Courts Act relating to assessors, we pointed out that no provision was made for forming a list of persons from whom the "persons of skill and experience"

who are to sit with the judge are to be taken. The rules supply this omission; they provide that the registrar shall submit to the judge the names of persons whom he thinks fitted to act as assessors, that the judge shall frame a list from the names thus furnished, and that this list shall be hung up in the court. The assessor is to have for his attendance one or two guineas, according as the subject-matter of the action exceeds, or does not exceed, £20. The selection from the list of the assessors is, in the first instance, to rest with the parties, for it is provided that the party who desires to have assessors must file an application giving the names of the assessors he wishes to be summoned. A copy of this application is to be forwarded by the registrar to the judge, and after he has returned it with his approval, the registrar will summon the assessors. If the party applying has not filed with the application the consent of the other party to the assessors named, the registrar is next to cause notice of the application to be served on the other party, who must inform the registrar in writing whether or not he accepts the appointment of assessors contained in the notice, giving the names of the assessors he wishes to be summoned. If he does not accept the proposed appointment, he must state in writing the reasons for such non-acceptance, and a time will then be fixed for hearing the objections (order 32, rules 1—10). The party requiring the judge to be assisted by assessors must, at the time of application, pay to the registrar two guineas if the amount claimed does not exceed £20, and four guineas if it exceeds that amount (*Id.* rule 42). We apprehend that under these provisions we shall hear of very few trials with the assistance of assessors.

We noticed last week the rules made under the Agricultural Holdings Act (order 34). Those relating to the Friendly Societies Act, 1875, do not seem to call for any special remark.

A correspondent telegraphs from Dublin that Mr. Ormsby, Q.C., has been appointed to the judgeship of the Landed Estates Court, and that Mr. May, Q.C., is to be appointed Attorney-General.

Mr. Baron Huddleston took occasion to remark on Wednesday last that a great many points must be constantly arising under the new procedure which would have to be considered step by step, but the bench were desirous, as far as possible, to give the new Acts their proper development, and to co-operate with the bar in order that the new machinery might as speedily as possible be put in proper working order.

At the first sitting of the Queen's Bench Division on Tuesday the following learned gentlemen who had been appointed Queen's Counsel appeared at the bar:—Mr. T. C. Foster, Mr. J. O. Griffiths, Mr. Loebeck Webb, Mr. G. W. Hemming, Mr. J. Mottram, Mr. G. Hastings, Mr. T. H. Baylis, Mr. W. F. Robinson, Mr. L. W. Cave, Mr. H. Cookson, Mr. J. W. Mellor, and Mr. J. E. Gorst. The Lord Chief Justice, addressing them, said: Gentlemen, you are so numerous, and as we are sitting in a new capacity, we will establish a new precedent, and ask you all to take your seats at the same time.

Mr. Garnett, secretary to the Inland Revenue Commissioners writes to the *Times* with reference to the complain's that in the new stamps for judicature fees the amount of duty is not sufficiently legible. He states that these stamps are furnished merely for temporary use until proper dies and stamps can be made. The late period at which the judicature fees were settled made it impossible to have new stamps prepared in time, and therefore certain fee stamps already in use were adapted to the fees in the High Court of Justice by overprinting on them the words "Judicature Fees." He also points out that in the order of the 28th of October respecting the stamps to be used for judicature fees provision is made for rendering available the stamps formerly appropriated to chancery and common law fees, concurrently with those recently issued. If the latter are found inconvenient it is quite unnecessary to use them.



## Recent Decisions.

## SPECIAL CREDIT.

(Morgan v. Larivière, H.L., 23 W. R. 537).

This case, when stripped of its immaterial circumstances, raises what on the face of it appears to be a very elementary question. A manufacturer contracts to supply a customer with goods to be delivered by instalments; and, in pursuance of an agreement to that effect, a special credit, say for £1,000, is opened in his favour at the customer's bank. The arrangement is completed by the bankers writing to inform the manufacturer that by the customer's instructions they have opened a special credit in his favour for £1,000, and that it will be paid to him upon the production of certificates acknowledging the receipt of the goods. Is the £1,000 a trust fund or not?

The question is important to all the parties—to the manufacturer, because if the £1,000 is a trust fund he can, if necessary, have it administered in the Court of Chancery, and might obtain payment out of it although no certificates acknowledging the receipt of the goods had been given; to the customer, because if the money is impressed with a trust, his bankers will not deal with it according to his sole orders; and to the bankers, because on the one holding they would be exposed to all the doctrines of equity with respect to trusts, while on the other, provided they paid on the production of receipts, not only could they not be sued in equity as trustees, but no action would lie against them at law.

The question which seems so elementary was answered in one way by the Court of Chancery, and in the other by the House of Lords. Vice-Chancellor Malins (20 W. R. 480) and Lord Chancellor Hatherley (20 W. R. 731, L. R. 7 Ch. 550) were clearly of opinion that a trust had been created, while on appeal all their lordships, namely, Lords Cairns, C., Chelmsford, and O'Hagan, took the contrary view, and looked upon the letter of the bankers, which was to the effect we have stated, "as being merely a statement by a banker to a tradesman who has supplied goods to a customer of the banker's, that he will act as paymaster to the tradesman up to a certain amount; but in order that he may do so the tradesman must bring certificates that the goods have been delivered to the customer." How much of this ruling is due to considerations of convenience and the special position and practice of bankers does not appear from the judgments of the lords; but we are inclined to doubt whether, if, under similar circumstances, a sum of money had been deposited with a person not a banker, the same view would have been taken by the House. The effect of the judgment is plainly this, that the whole bargain for the special credit is revocable at the will of the customer, who moreover can keep his bankers harmless by refusing to sign certificates. For whatever may be hinted at in the judgment of Lord Cairns, it is tolerably clear that if the letter was merely a personal undertaking by the bankers to pay when the receipts were produced, they would not be liable at law for declining to pay without such production. The moral seems to be that in similar cases the manufacturer should stipulate that the moneys should be held by the bankers, or some other persons, expressly as trustees.

In the recent case the customer was the late Government of the National Defence in France as represented by M. Gambetta, and the manufacturers were resident in England. This formed a very good reason why the manufacturers should require a deposit of cash in this country, but does not seem to affect the general nature of the question.

## ACCESSORY TO MANSLAUGHTER.

(Reg. v. Taylor, C.C.R., 23 W. R. 616, L. R. 1 C. C. 172).

In this case, where it was held that the stakeholder for a fight arising out of a quarrel in which one of the

combatants was killed, was not an accessory before the fact, a doubt was raised by Mellor, J., whether, in a case of this kind, where the manslaughter "was not in any way contemplated beforehand," there could be an accessory before the fact. This doubt is not without warrant, for it is laid down that in manslaughter there can be no accessories before the fact, and that if A. be indicted for murder and B. as accessory, if the jury find A. guilty of manslaughter, they must acquit B. (1 Hale, P. C. 450, 616). This is expressed very generally, and the reason given is the same with that suggested by Mellor, J., that the act is "sudden and unpremeditated"; but it may be a question whether that reason covers every case where a verdict of manslaughter might be found against the principal. If, for instance, one were to "command, counsel, or procure" another to do a recklessly dangerous act which caused the death of a passer-by, inasmuch as the possibility of the consequences would be as much present to his mind as to the mind of the person actually doing it, and it is this very reckless negligence that constitutes the crime, there seems no reason why he should not be an accessory before the fact.

We cannot part with this case without again adverting to the singular course taken by the learned judge who tried the case of the principal as well as that of *Reg. v. Taylor*. It has been constantly laid down that if the killing result from a sudden quarrel it is only manslaughter, but that if sufficient time intervenes to allow passion to subside it is murder. Yet in a case where not only sufficient time intervened to allow passion to subside, but stakes were laid with the deliberate purpose of compelling the men to resume the quarrel, the killing was treated as not merely not murder, but as the most venial kind of manslaughter. We have seldom read anything more sophistical than the manner in which the whole case was treated by the learned judge, and we are at a loss to understand why a quarrel deliberately carried out with brutal violence is more venial than a prize-fight in which two men match their brute force and skill against one another for the sake of distinction and reward. A new doctrine seems to have been imported into the law, of which no trace or warrant can be discovered in the books, and it is sincerely to be hoped that no further steps will be taken in the same direction.

It is stated that the Court of Common Council decided unanimously on Thursday to present the freedom of the City to the Lord Chief Justice of England.

The court of the Master of the Rolls has been altered so as to afford more accommodation to the inner bar. A jury box has also been fitted up.

On Wednesday, in an inquest held before Dr. Hardwicke, at the University College Hospital, on the body of a boy named Thomas Hoare, on the house surgeon being called, he was not forthcoming, and it was alleged that he was absent because no fees were allowed. The coroner said that in all cases medical officers of hospitals were bound to attend inquests, and characterized the proceeding as contempt of court. The surgeon has since written to say that he had no intimation of the inquest.

Notwithstanding the curious fact, says the *Albany Law Journal*, that the judges of the courts of record of the city and county of New York are more numerous than all the judges and barons of all the superior courts of England, the New York courts are so hopelessly in arrears that justice has every possible enchantment that distance can lend her. According to the *Tribune*, the Supreme Court has on its circuit calendar over 2,000 cases, and as but 450 of these are what are termed "new," the court must have commenced the summer vacation with over 1,500 remanets. The Superior Court has on its trial calendar over 1,700 cases, of which over 1,200 are remanets; and the Common Pleas about 1,100, of which about the same proportion are old. The General Term of the Supreme Court has on its calendar 365 appeals, while the Special Term calendar numbers nearly 600. The United States Supreme Court began its annual session with a calendar numbering 646 cases.

## Reviews.

### THE JUDICATURE ACTS.

THE LAW AND PRACTICE OF THE SUPREME COURT OF JUDICATURE. By ARUNDEL ROGERS, Esq., Barrister-at-Law. Butterworths.

The first thing to be observed about this work is that its title is far more ambitious than that of any book on the same subject which has yet come under our notice. The author does not announce a mere edition of the Acts with occasional notes; he undertakes to supply a treatise on the law and practice of the Supreme Court. And he not only undertakes to supply this, but also to give a view of legal and constitutional history. We learn from the preface how the widening of the writer's purpose occurred. He was at first much disposed to confine himself to recent legislation, but he soon discovered the necessity of treating the subject on a broader basis. In his introduction, accordingly, he lays his foundations in the earliest periods of legal history. He fortunately deems it unnecessary to consider what laws (if any) existed among the ancient Britons; but he starts from the period of the Romans, and in the short space of less than ten pages he travels over as many centuries.

He then turns to the constitution of the courts in existence at the passing of the Judicature Acts, and first of all devotes about a third of a page to the House of Lords. This tribunal, he says, "still trembles in the balance, ignorance on the one side and prejudice on the other having prevailed, and induced the Legislature to leave for future consideration the appellate jurisdiction of this ancient and final court of appeal." After stating that the Judicature Act of 1873 "entirely abolished its jurisdiction" (Scotch and Irish appeals being, of course, dealt with by that Act), and that the Act of last session leaves the jurisdiction untouched for a period of twelve months, Mr. Rogers concludes his remarks on the House of Lords by the useful observation that "its jurisdiction extends to all cases where an appeal lies from any of the courts of law and equity having jurisdiction with in the United Kingdom of Great Britain and Ireland."

Under the next head, "The Chancery Courts," we are informed (p. 16) that "in his judicial capacity the Chancellor sits, either alone or with the Lords Justices, as a final court of appeal in all cases where an appeal lies either from the Chancery or Bankruptcy Courts." The information vouchsafed as to the jurisdiction of the judges of the Court of Chancery is veiled in the following mystic language (p. 16—the italics are ours):—"The Lords Justices' powers and jurisdiction are co-extensive in certain questions with the Chancellor's. The Master of the Rolls has a concurrent jurisdiction in most questions with the Vice-Chancellors, and an exclusive jurisdiction in others; and he possesses a personal and almost uncontrolled jurisdiction which is attached to his official position; such, for instance, as the keeper of the records in London and elsewhere in England, which are preserved to him under the Judicature Act, 1873." We are next taken over the common law, Admiralty, Probate and Divorce Courts, the Palatine Courts the Stannaries Court and county courts, and then the section breaks off abruptly with the heading "Central Criminal Court." We are wholly unable to imagine what possible service this portion of the work can render to the reader.

The second section of the chapter is devoted to a summary of "the subject-matters with regard to which the various courts already referred to exercise both a common law and equitable jurisdiction." This summary will, the author hopes, "serve as a guide to the construction which the Supreme Court will be likely to put upon the many doubtful points of law and equity which will arise when considered conjointly and with reference to the distinct principles which had been previously maintained by the courts of law and equity during their in-

dependent existence." The chapter contains a series of short statements of law relating to various subjects. Among them we find "Coal Mines," the remarks under which have reference only to the statute 35 & 36 Vict. c. 96, as to which many doubtful questions both of law and equity do not seem likely to arise. "Corporations" are dismissed with less than four lines, containing the important information that "corporations can now be ordered to make discovery of documents or answer interrogatories under the Common Law Procedure Act, 1854."

Chapter iii. relates to the constitution of the Supreme Court, and opens with the statement that "all the superior courts of the kingdom, instead of being separate and independent of each other, are now fused and blended together." This reminds us of the daily paper which recently, under the head of the Supreme Court of Judicature, inserted a report of a case before the Judicial Committee. The remainder of the chapter is an extremely meagre summary (contained in about seven pages) of some of the provisions of the Acts and rules.

We have lingered too long at the threshold of the work; now let us turn to the notes to the sections of the Acts and the rules. The great majority of these, we think, will be found of no assistance to the reader. What can be the advantage, for instance, of appending to order 15 (application for account on writ specially indorsed) this note, and this note only:—"Order XV. This order seems a most proper one?" or of reiterating with reference to numerous rules:—"This rule is most useful"? It may be comforting to the judges and draftsmen to know that Mr. Rogers smiles on their labours; but this is hardly the kind of information the practitioner wants. Another class of notes is exemplified by the note at p. 270, in which it is stated that "The object of trying before a judge with assessors, is to give the judge the benefit of the unbiassed opinion of skilled witnesses, instead of having them called on behalf of each party?" Possibly the same thing might have occurred to the unassisted reader. To the same class belong the numerous notes stating that "This rule is framed with a view to save unnecessary expense."

We have preferred so far to let Mr. Rogers speak for himself; but we must add that the cross-references throughout the work are very meagre, and there is hardly any intelligent elucidation of the changes made by the new procedure. We should state that Mr. Rogers gives some additional forms of pleadings and a time-table of procedure, a chapter on the jurisdiction and practice of divisional courts, and an analysis of proceedings in an action at law and a suit in equity.

At the opening of the Irish courts on Tuesday, says the *Times* correspondent, there was a large attendance of the public, and some curiosity was manifested as to whether any judicial changes had been made, but the courts presented nothing worthy of special notice. The lists of business to be disposed of are tolerably full.

The *Daily Telegraph* says that a singular verdict was delivered by a Cheshire jury at Shavington, on Thursday, in an inquiry as to the death of a platelayer named Ray, who was shot, while engaged at his work on the line, on Saturday last, by an old man named Boote, keeper of Willaston toll-gate. It was conclusively proved that at the time Boote fired the fatal shot he was standing on the property of the railway company, and the civil engineer of the line deposed that he was trespassing in being where he was. Under these circumstances, the coroner laid it down clearly that the jury could only return a verdict against Boote of manslaughter, as the circumstances under which he fired the gun made him responsible for his act. The jury, after a few moments' discussion, announced that they had decided to find a verdict of accidental death, as it was no business of theirs to meddle with the trespass. The coroner said the verdict was altogether opposed to the facts, and he entirely disagreed with them. Foreman: That's your opinion? Coroner: Yes. Foreman: Well, it ain't ours.

## Notes.

IN THE COURT OF APPEAL, on Thursday, in *Gover's case*, an application was made by the applicant for leave to issue a *subpoena* to compel the attendance of a witness to be examined in court on the hearing of the appeal. The proposed witness had given no evidence on the original hearing of the motion, which took place in March last. Their lordships gave leave to issue the *subpoena*, reserving, however, to the respondent the benefit of any objection to the admissibility of the evidence, or the propriety of its being admitted under the circumstances of the case.

In *Hodges v. Fincham*, heard the same day by the Court of Appeal, the suit was for the specific performance of an agreement by the defendants to assign certain debts to the plaintiffs as a security for a debt due to them, and the bill asked for the appointment of a receiver, and for an injunction to restrain the defendants from getting in the debts in question. The defendants had given the plaintiffs a bond by way of further security. In March last an order was made appointing a receiver to get in the debts, one of the defendants at the same time undertaking to give judgment in an action upon the bond which the plaintiffs had commenced against him, the judgment "to be dealt with as this court shall direct." During the long vacation, the suit not having come to a hearing, the plaintiffs moved for leave forthwith to issue execution on the judgment. Vice-Chancellor Bacon was inclined to think that the meaning of the order was that the judgment was to be dealt with by the court at the hearing of the cause, and that no leave to issue execution could be given before then, and, as the order had not been made by himself, he declined to accede to the application. The Lords Justices were of opinion that it was open to the court at any time to give leave to deal with the judgment if the circumstances were such as to render it proper that this should be done. They accordingly gave the plaintiffs leave to issue execution, but directed the proceeds of the execution to be brought into court in the suit. This decision is of some value as interpreting the meaning of words not uncommonly occurring in orders of the court.

A STATUTE of Pennsylvania, says the *Albany Law Journal*, requires every will to "be in writing," and the other day the curious question was presented to the Court of Common Pleas of Chester county whether a writing on a slate intended by the deceased to be her last will and testament came within the statute. The court thought the case not within the spirit of the statute, because a slate was neither intended for, nor adapted to, writing of a permanent character. The rule has been carried quite far enough by the admission to probate of wills written with lead pencils, as was done in *Dyer's Estate* (3 Ecc. 92) and in *Dickson v. Dickson* (1 *Ibid.* 222). In 21 P. F. Smith, 454, it was thought that a will should not be written or signed in pencil on account of the facility of alteration; but the point was not decided.

THE HON. L. P. PROCTOR delivered an address at the Court House, Belmont, before the members of the Alleghany bar with reference to the late Judge Grover, in which he gave the following details of that learned judge's self-possession on a trying occasion:—He was once engaged in trying a cause before Judge Drayton. After a time the judge became impatient at what he believed to be unnecessary details of the facts in the case. "This case, Mr. Grover," said he, "is in a nut shell." Grover continued the case without regarding the remark. "Mr. Grover," said the judge, somewhat sharply, "this case is in a nut-shell. You are taking too much time with it." "I know that the case is in a nut-shell, your honour, but then I think this court is bound to take judicial knowledge that nut-shells are of all sizes, from an Alleghany county beach-nut up to a cocoanut shell, and this case, with all respect to your honour, is in a cocoanut shell; and if your honour don't let me try it in my own way, Peck, there, will make beech-nuts, and small ones, of my client." The judge took this reply pleasantly, and Grover continued in his own way.

THE SUPREME COURT OF MAINE, in disbarring an attorney recently, made the following observations:—"It is a mistaken view of this subject to conclude that an attorney at law can only be disbarred for acts done 'in his office as attorney' or 'within the courts,' in the terms of his oath of office. On the contrary, an attorney may be guilty of disreputable practices and gross immoralities in his private capacity and without the pale of the courts, which render him unfit to associate with gentlemen, disqualify him for the faithful discharge of his professional duties in or out of court, and render him unworthy to minister in the forum of justice. Where such a case arises, from whatever acts or causes, the cardinal condition of the attorney's admission to the bar, the possession of 'a good moral character,' is forfeited, and it will become the solemn duty of the court, upon a due presentment of the case, to revoke the authority it gave the offending member as a symbol of legal fitness and moral uprightness, lest it should be exercised for evil or tarnished with shame."

## Queries on the New Practice.

HOW FIGURES ARE TO BE COUNTED.

[To the Editor of the *Solicitors' Journal*.]

Sir,—I am obliged by the authoritative reply you have obtained to my query. But the reply confines itself to figures in pleadings. How about those in affidavits or other documents not pleadings? Surely there is intended to be some difference in the counting, otherwise, why the inexplicable repetition in order 7 of 28th October as to column figures only? J. PALLISTER YOUNG.

29, Mark-lane, E.C., Nov. 1.

[See an answer above under the head of "The New Practice."—Ed. S. J.]

## Appointments, &c.

SIR RICHARD BAGGALLAY, Q.C., M.P., has been appointed an Ordinary Judge of the Court of Appeal. The new judge is the eldest son of the late Mr. Richard Baggallay, of Kingthorpe House, Upper Tooting, and was born in 1816. He was educated at Caius College, Cambridge, where he graduated as B.A. (fourteenth wrangler) in 1839. He was called to the bar at Lincoln's-inn in Trinity Term, 1843, and became an equity draftsman and conveyancer. He was created a Queen's Counsel in 1861, after which time he confined his practice to the Rolls Court. In 1865 he was elected M.P. for Hereford in the Conservative interest, and in September, 1868, he succeeded Mr. Justice Brett as Solicitor-General. His tenure of office on that occasion was very short, as his party resigned in the following December, he having in the meantime failed to secure re-election at Hereford. He was knighted shortly after his retirement from office, and in 1870 he succeeded the present Viscount Midleton as M.P. for Mid-Surrey, and he has since retained the seat without opposition. In February, 1874, Sir Richard Baggallay was re-appointed Solicitor-General by Mr. Disraeli, and two months later (Sir John Karslake having resigned through ill-health) he became Attorney-General. Sir R. Baggallay is one of the standing counsel to the University of Cambridge, a magistrate for Surrey, and a bencher of Lincoln's-inn, being also the treasurer of that society for the current year.

MR. BLOMFIELD BURNELL, solicitor, of 10, Fenchurch-buildings (deputy of the Ward of Aldgate, and clerk to the justices for the Tower division, Middlesex), has been again appointed by the Bishop of London to be one of the Commission to Inquire into the Union of certain City Benefices.

MR. CHARLES WILLIAM GARROD, solicitor, of Wells, has been unanimously elected Treasurer to the Corporation of that City, and also Clerk to the Trustees of Wells Turnpike Roads, in succession to his recently-deceased partner, Mr. Henry Bernard. Mr. Garrod was admitted a solicitor in 1860.



Mr. BASIL EDMUND GREENFIELD, solicitor, of 21, Abchurch-lane, has been appointed a Commissioner of the Supreme Court of New South Wales for taking Affidavits in any matter within the jurisdiction of the said court.

Mr. GEORGE GUDGEON, solicitor, of Stowmarket, has been appointed Clerk to the Magistrates acting in and for the Division of the Hundred of Stow in the County of Suffolk, also Clerk to the Commissioners of Land and Income Tax for the said Hundred, in succession to the late Mr. Frederick Beek Marriott. Mr. Gudgeon was admitted a solicitor in 1865.

Mr. FREDERIC CLIFT, of 2, Austinfriars, Old Broad-street, E.C., and Church-road, Upper Norwood, Surrey, was, on the 28th ult., appointed a London Commissioner to administer Oaths in the Court of Exchequer.

Mr. WILLIAM ALEXANDER PARKER, Chief Justice of St. Helena, has been appointed Chief Justice of British Honduras, in the place of Mr. Robert John Walcott. Mr. Parker was admitted a member of the faculty of advocates in Scotland in 1853. He was chief magistrate and a member of the Legislative Assembly of the Gold Coast from 1866 to 1869, when he was appointed Chief Justice of St. Helena, and he was made a member of the Executive Council of that island in 1871.

Mr. THOMAS FRANCIS PEACOCK, of 12, South-square, Gray's-inn, has been appointed a London Commissioner to administer Oaths in the Supreme Court of Judicature.

The office of Registrar of the Bishop Auckland County Court (Circuit No. 2) has become vacant by the death of Mr. William Dale Trotter, of Bishop Auckland.

The office of Registrar of the Llanfyllin County Court (Circuit No. 28) has become vacant by the death of Mr. Oliver Vaughan Pugh, of Llanfyllin, Welchpool, and Oswestry.

## General Correspondence.

### ADVERTISING PRACTITIONERS.

[To the Editor of the Solicitors' Journal.]

SIR,—I beg to inclose you a copy of a letter which is being circulated in my neighbourhood. J. H. GRANT.  
Kennington-cross, S.E., Oct. 23.

31, Upper Kennington-lane, S.E.  
Town Office—2, King's Road, Gray's-inn, W.C.  
20th October, 1875.

Thos. Wm. Payne, Solicitor,

Commissioner for taking Oaths and Affidavits.

SIR,—In the course of 20 years' practice it has been made manifest to me that the fear of solicitors' charges, in small transactions, has frequently led to the employment of unqualified persons to prepare legal documents or to the reliance on verbal agreements in lieu of writing, resulting in litigation and failure when legal proceedings have been instituted.

In the altered state of the law, i.e., the fusion of law and equity by the Supreme Court of Judicature Acts, 1873 and 1875, coming into operation in November next, it will be more essential than ever that all transactions, beyond the ordinary sale and delivery of goods, should be in writing, prepared by a competent legal practitioner, and with the view of remedying the evil above referred to, and of enabling all persons to obtain the necessary assistance, I have established a very moderate scale of charges to meet the exigencies of all transactions, such as leases, agreements, articles of partnership, mortgages, and other matters requiring legal assistance, and in some cases I arrange to charge by commission.

I make no charge for preliminary advice.

Consultations at the above address from 9 to 10 a.m., and 6 to 8 p.m., except Saturdays, or by appointment, and at my town office during the day.

I am,

Your obedient servant,  
T. W. PAYNE.

To Mr. —.]

We have also been favoured by "An Old Solicitor" from Bristol, and a correspondent at Hereford, with copies of the following circular. "An Old Solicitor" says:—I presume, from the name of "Bristol" being filled in ink, (the rest of the circular being printed) these young gentlemen's extensive (or anticipated?) practice has induced them to fill in the names of all the seventy district registry towns, and favour solicitors in each place with the offer of their agency.

"26, Moorgate-street,

London, October, 1875.

SIR,—Bristol being appointed one of the centres under the Judicature Act we apprehend that from time to time, perhaps frequently, we shall have occasion for a professional agent in your neighbourhood.

We have, therefore, to ask if you are disposed to act as our agent and upon what terms.

Should you have occasion for our services as London agents, wholly or partially, we shall be happy to act as such agents on lower (say one-third) terms, on a system of monthly accounts, provided the terms are mutual.—We are,  
Sir, yours faithfully,  
DIGBY & TABOR.

A correspondent sends the following extract from the *Marylebone Mercury* :—

MATRIMONIAL.—Mr. Johnson, 35, Great James-street, Bedford-row, Solicitor, conducts Divorce and all other cases. TERMS MODERATE.

Compensation Claims Attended to.

PRELIMINARY CONSULTATIONS FREE.

## Obituary.

### SIR EDWARD VAUGHAN WILLIAMS.

The Right Hon. Sir Edward Vaughan Williams, Knt., many years a judge of the Court of Common Pleas, died at his residence, Park-street, Westminster, on Tuesday last, November 2, at the age of seventy-eight. The deceased was the son of Mr. Serjeant John Williams, the well-known editor of "Saunders's Reports." He was born in 1797, and was educated at Westminster, and at Trinity College, Cambridge, where he took the usual degrees. He was called to the bar at Lincoln's-inn in the year 1823, and joined the South Wales and Chester Circuit. He soon became known as a legal author, having in his first year at the bar published a new edition of his father's notes to "Saunders's Reports," in which undertaking he was associated with the late Mr. Justice Patterson. He also brought out in the year 1836 (with the aid of the late Mr. Serjeant D'Oyley), an edition of "Burns's Justice of the Peace," but the book which permanently established his reputation was his treatise on "The Law of Executors," first published in 1832, which has gone through seven editions, and has been one of the most valuable books ever placed in the hands of the profession. Mr. Williams enjoyed a very good junior business, both in London and on circuit, but he was not a good speaker, and consequently never aspired to a silk gown. He was for many years Recorder of the borough of Kidwelly, and in 1846, after the transfer of Mr. Justice Erle from the Common Pleas to the Queen's Bench, he was nominated by Lord Cottenham to the vacancy in the latter court, and he then received the honour of knighthood. He retained his seat on the bench for nineteen years, under the presidency of Chief Justices Wilde, Jervis, Cockburn, and Erle, and fully justified his previous reputation at the bar. His kindness and courtesy made him extremely popular, and none of his colleagues could rival him in legal knowledge and familiarity with cases and authorities. For some years his judicial capacity was impaired by increasing deafness, and this infirmity, coupled with general failure of health, obliged him, early in the year 1865, to resign his seat, to the universal regret of his colleagues and the profession. He received the usual compliment of being sworn a member of the Privy Council, but the state of his health prevented him from taking much part in the proceedings of the Judicial Committee, where his long experience would have rendered his services most valuable. His death will be long lamented by a large circle of friends.

### MR. WILLIAM DALE TROTTER.

Mr. William Dale Trotter, solicitor (the head of the firm of Trotter, Bruce, & Trotter), of Bishop Auckland, died at Bournemouth, on the 27th ult., at the age of forty, after a long illness. The deceased was the son of the late Mr. William Trotter, solicitor, of Bishop Auckland, and of Helmedon, Durham, who was for several years Lieutenant-Colonel of the 2nd battalion of the Durham Volunteers. He was born in 1835, and was educated at Corpus Christi

College, Cambridge, where he took the degrees of M.A. and LL.B. He was admitted a solicitor in 1858, and soon afterwards went into partnership with his father, with whom he became associated as joint clerk to the county magistrates at Bishop Auckland. He was deputy coroner for the Darlington ward of the county of Durham till the death of his father in 1866, when he succeeded to the coronership, and also to the office of Registrar of the Bishop Auckland County Court. He was a member of the Justices' Clerks' Society, a perpetual commissioner for Durham, and a commissioner for taking affidavits in chancery and at common law. His practice was very large. Mr. Trotter's politics were Conservative, and he took a leading part in all county contests. At the last general election he was the chief agent for Viscount Castlereagh in his candidature for South Durham, and he had himself been mentioned as a future Conservative candidate. He was Lieutenant-Colonel of the 1st Durham Militia, having been for several years an officer in the regiment, in the welfare of which he took the warmest interest. He was also chairman of the Bishop Auckland Local Board of Health. He had recently been in partnership with Mr. Thomas Dundas Bruce and with Mr. Henry Hutchinson Trotter. His health had long been delicate. Two or three years ago he spent a winter in the south of France, and returned very much better, but the improvement did not continue, and he had been several months at Bournemouth without deriving any benefit.

#### MR. ROBERT GRIFFITH WILLIAMS, Q.C.

Mr. Robert Griffith Williams, Q.C., died suddenly from heart disease at Brynecir, Pwllheli, on the 21st ult., at the age of forty six. Mr. Williams was the son of the late Mr. Robert Hubert Williams, and was born at Liverpool in 1829. He was educated at St. Paul's School and at University College, London, and graduated as M.A. at the University of London in 1856. He was called to the bar at the Middle Temple in Easter Term, 1857, and joined the Northern Circuit and Manchester Sessions. Mr. Williams was the author (jointly with Mr. Gainsford Bruce) of a book on "Admiralty Practice in the County Courts," and was one of the editors of the last edition of "Chitty's Precedents of Pleadings." He soon obtained a reputation as a sound lawyer, and rose steadily into business, especially at Liverpool and Manchester. It was not, however, till February, 1874, that he applied for and received a silk gown. Mr. Williams was spending the long vacation at his country house in Wales, and had been for some time in delicate health. On the morning of the 21st he was about to start for Manchester to attend an arbitration, when he was attacked with sudden faintness. He left the house to get some fresh air, and fell dead on the garden path.

#### MR. HENRY BERNARD.

Mr. Henry Bernard, solicitor and proctor, of Wells, died at Torquay, on the 18th ult., at the age of fifty-nine, after a long illness. Mr. Bernard was admitted a solicitor in 1838, and shortly afterwards commenced to practise at Wells in partnership with the late Mr. Thomas Gilling. He was afterwards associated with Mr. Edmund Davies, on whose death he was appointed by Lord Auckland, the late Bishop of Bath and Wells, to the post of bishop's secretary, and he also became apparitor of the diocese, steward to the dean and chapter, registrar of the archdeaconry of Bath, and deputy-registrar of the archdeaconry of Wells. He was also joint chapter clerk and treasurer to the city of Wells, a perpetual commissioner for Somersetshire, and a commissioner for taking affidavits in chancery. Mr. Bernard served the office of Mayor of Wells a few years ago. He had been for some time unable to attend to business, and his official duties have been discharged by his partner, Mr. Charles William Garrod, who was associated with him as joint chapter clerk.

The *St. Louis Globe* states that Mr. Justice Smith, of Savannah, in an elaborate opinion, has decided that an umbrella is property.

The recent Admiralty Circular as to the reception of fugitive slaves on board her Majesty's ships has been withdrawn, and new instructions on the subject will be issued.

## Societies.

### LAW ASSOCIATION.

The usual monthly meeting of the directors was held at the Hall of the Incorporated Law Society, Chancery-lane, on Thursday last, the following being present—viz., Mr. Desborough (chairman), and Messrs. Steward, Burges, Carpenter, Clabon, Collisson, Drew, Kelly, Masterman, Scadding, Sidney Smith, and Boodle (secretary). Three grants, amounting to £25, were made to the widows of three non-members, and the ordinary business was transacted.

### LAW STUDENTS' DEBATING SOCIETY.

At the weekly meeting of this society, held on Tuesday last, at the Law Institution, Chancery-lane, Messrs. West, Cooke, Jackson, Henwood, Austen, Norman, Holland, Etherington, Hall, and Trotter were balloted for and elected members of the society. The following Legal question was discussed, No. 568:—"Is a railway company liable for an accident caused by their gross negligence to a passenger travelling on their line by a free pass, on the condition that he travels at his own risk?" The debate having been opened by the secretary, an animated discussion followed, and ultimately the question was carried in the affirmative by a majority of four votes. Several visitors were present.

## Legal News.

It is stated that a question has arisen in connection with the Doncaster Town Council, whether a member who has compounded with his creditors is eligible for re-election. As a matter of fact, a town councillor in that borough having so compounded, his seat has been declared vacant by a declaration of the council itself. The late member, however, has been re-nominated; and objection was taken before the mayor that he could not, under the 52nd section of the Act, sit in the town council. The town clerk gave a contrary opinion, and the mayor ruled that he had no jurisdiction.

In the commercial reports of her Majesty's Consuls in Siam it is stated that the criminal laws are severe, but that the effect of them is that property, except in places where the country is subject to raids, is secure. Thefts of elephants and cattle are punishable by death, as are all cases of robbery from members of the Ruling Family. The judges have few rules to guide them in the settlement of civil cases, the decision in which generally means their own opinion, from which an appeal lies to the Chief. "They have a curious way of deciding the truth between two parties in the absence of witnesses; their plan is to ascertain which of them can stay longest under water."

The *Indianapolis Sentinel* says:—"The following letter to the Supreme Court is one involving such grave questions that after unsuccessfully wrestling with its question, the judges turned it over to the Attorney-General; he being unable to come to a decision, has referred it to the governor: "To the Most Respectable Supreme Court of the State of Indiana. Gentlemen,—The undersigned was a professor in Germany and in this country for many years. These two years he was teaching languages in the seminary of the city of ——. The board of education, according to decision of the Supreme Court, illegally elected here, dismissed on account of personal vengeance of one of the members, Professor ——, in spite of a large petition of 212 citizens, three-fourths of the inhabitants, signed by the mayor and five councilmen out of six in favour of re-election of said professor. There is a great loss and damage to the petitioner, because he is for one year without any office, having been procrastinated by said board from days to weeks till last of July. The supplication, therefore, very modestly made to the most respectable Supreme Court, is what may be done legally for a citizen of the United States to come to his rights and justice after all inquisitions with lawyers? The Supreme Court's most humble servant, "Prof. ——"."

## Courts.

### COUNTY COURTS.

BARNSELY.

(Before Mr. Serjeant TINDAL ATKINSON, Judge.)

Oct. 29.—*Frobisher v. Duckworth.*

Impounding cattle—Overcharge—Penalty—1 & 2 Philip and Mary, c. 12, s. 2.

In this case the plaintiff sought to recover £5 1s. "for that whereas the defendant, on the 2nd of July, 1875, at Cudworth, impounded four beasts belonging to the plaintiff, who thereupon tendered him the sum of 4d. for impounding and keeping the same in pound, when the said defendant demanded the sum of 1s. 4d., and refused to give them up until he was paid the sum, when the plaintiff paid the same under protest, and now seeks to recover 1s. illegally taken; and also the sum of £5, being the amount of penalty incurred by the defendant in illegally demanding and taking from the plaintiff above the sum of 4d. for impounding and keeping in pound the said distress."

His Honour, in giving judgment, said—This case was heard before me on the 12th of August last, and, on account of its importance to farmers and others in the district who keep cattle, I reserved judgment in order that I might have the opportunity of looking into the authorities upon the subject. The plaintiff claims from the defendant, the pound keeper, or pinder, at Cudworth, £5 1s., namely, a penalty of £5 for taking 1s. more than of right on giving out of the pound four of the plaintiff's beasts which had been found straying on the highway. The facts, which may be shortly stated, are that on the 1st of July of this year the beasts in question were in one of the plaintiff's fields at Roystone-bridge. On the following day they were found straying on the highway, and were brought to the defendant to be impounded. The plaintiff, on hearing this, went to release his cattle, and tendered the statutory charge of 4d. for the whole; this, when tendered, the defendant refused to receive, demanding 1s. 4d., which the plaintiff paid. The decision in this case turned upon whether the provisions of the 2nd section of 1 & 2 Philip and Mary are still in force. That section is in the following terms:—"And further be it enacted by the auctorite aforesaid, that after the said first daye of Aprill, no pson or psons shall take for keeping, impownde, impownding or pondage, of any manner of distress, above the sum of iiijd. for any holt distress that shall be so impownded, and where les hath beene used, ther to take les, upon the payne of fyve powndes to be payd to the partie grieved, over and besides suche monye as he shall take above the some of iiijd. any usage or prescripcon to the contrary in any wise notwithstanding." During the hearing of the case the defendant called my attention to the 74th section of 5 & 6 Will. 4, c. 50, the Highway Act, in which penalties were imposed upon the owners of straying cattle, and other regulations with regard to the charges for impounding, which were not in any case to exceed a shilling a head; but this section, which, if it had been in force, would have, in my opinion, in effect repealed that of the older statute on this subject, is itself expressly repealed by the 27 & 28 Vict. c. 101, s. 25. The words of the section material to the subject are—"The 74th section of the Highway Act, 1835, shall be repealed, and instead thereof be it enacted—If any horse, ox, sheep, &c., is at any time found straying on or lying about any highway (except on such parts of any highway as pass over any common or uninclosed grounds), the owner shall be liable to a penalty not exceeding five shillings, to be recovered in a summary manner, together with the reasonable expenses of removing such animal from the highway where it is found to the common pound of the parish, or any other place provided for the purpose; provided always that no owner of any such animal shall in any case pay more than thirty shillings, to be recovered over and above such reasonable expenses as aforesaid, including the usual fees and charges of the authorized keeper of the pound." It appears to me that by no possible construction can the provisions of this section be said to operate as a repeal by implication of the 2nd section of the 1 & 2 of Philip and Mary, relating to the pound-keeper's charges. It simply provides a remedy, in the shape of a penalty, for the owner's negligence in suffering his cattle to

stray on the highway, and further enables the highway authorities to recover the reasonable costs incurred in removing them to the pound. It is contended that the words in the 25th section of the 27 & 28 Vict. c. 101, "including all usual charges" must mean the charges which have been and are now made by the pound-keeper on releasing impounded cattle, and that this is inconsistent with the 2nd section of the old Act, which fixes the amount arbitrarily at fourpence, and by implication repeals it. On looking into the authorities upon the subject of one statute repealing another by implication, I find that in the case of *Middleton v. Croft* (Cases temp. Hardwicke), Lord Hardwicke said, "Subsequent Acts of Parliament in the affirmative only, although giving no penalties, are never to be taken to be a repeal of former Acts unless there be negative words or a plain contrariety between the two Acts, so that there is a plain indication in the latter of the intention to repeal the former." In the present case no such contrariety appears. "The usual fees and charges" are determined in amount by statute, no doubt as a check to the extortion which prevailed in early days on the part of pound-keepers; and although, from the great increase in the value of money since the passing of the statute (1554), fourpence is a very inadequate and absurd amount for the charge of impounding cattle, it must not be forgotten that later legislation has given to highway authorities the means of recovering from the owners of strayed cattle, not only a penalty, but all reasonable expenses caused by the owner's negligence. I find also in the first volume of the revised statutes that, while section 3 of the 1 & 2 Philip and Mary is repealed and omitted from the text, the 2nd section remains, and forms part of the existing statute law. In this case, therefore, there must be a verdict for £5 in addition to the 1s. overcharge; but, inasmuch as the defendant acted in ignorance of the law, and seeing that the charge of 1s. 4d. was the usual and indeed very moderate sum levied by him in all cases of impounding cattle, the verdict will be entered without costs.

Verdict for plaintiff, £5 1s.  
Solicitor for plaintiff, Peagam.  
Defendant in person.

### BRISTOL POLICE COURT.

(Before Messrs. A. WARREN and GEORGE WELLS, Magistrates.)

37 & 38 Vict. c. 68, s. 12—Conviction for falsely using a name or subscription implying that the person is duly qualified to act as a solicitor.

Mr. John Price was summoned, on the information of Edwin Adlam, for "That on the second day of October last, the said Edwin Adlam was served, in the city of Bristol, with the copy of a writ (and was at the same time shown the original) issued out of the Tolzey-court of the city of Bristol, at the instance of Elizabeth Phillips, and which writ was issued by one John Price, of Castle Bank-chambers, Wine-street, in the said city of Bristol, and on which writ the said John Price has wilfully and falsely indorsed a description of himself, implying that he was duly qualified to act in the said court as an attorney and solicitor, or that he then was recognized by law as so qualified, contrary to the statutes in that case made and provided."

J. F. Norris (instructed by Mr. Clifton), prosecuted.

Tucker, was for the defence.

The defendant's name was called several times by the court officials, but no answer was received, and on their acquainting the magistrates that he did not answer, a young man entered the witness box, who stated that he was clerk to the defendant, and that Mr. Price was at London, and had been out of Bristol since Saturday.

Constables Masters and Harris having proved delivering the summonses at the defendant's office,

Thomas Bolwell Pearce, the young man who stated that he was clerk to defendant and that Mr. Price was absent at London, repeated what he had before said on oath.

Norris said he was in a position to show that Mr. Price had been seen within twenty minutes by two or three persons, and he had one person in court who had seen him.

The witness Pearce, continuing, said that the officer (Masters) had left three documents in the office, and they were there still.

Cross-examined by Norris—He had not seen Mr. Price that day, and he would swear that Mr. Price was not at his office on the previous day.



He would swear to the best of his belief that Mr. Price, at the present moment, was not in Bristol. On Saturday night he left to go to London to see his agent to inquire how it was that his certificate had not been returned to him. Witness left him at the top of Old Market-street about half-past eight o'clock on Saturday evening, and had not been acquainted with his whereabouts since.

Mr. Gore (magistrates' clerk).—Where does he reside or have his meals?

Witness.—I do not know, neither does the office boy. I have seen him at the office as early as half-past nine in the morning.

Mr. Gore.—He does not live at the office, I suppose?

Witness.—Oh no, sir.

Norris contended that the summons must have come to the knowledge of Mr. Pearce. He had been seen in Bristol since Saturday by Mr. Achley, Mr. Clifton, and Mr. Wansbrough, three well-known solicitors, and on that very morning by Hillman, one of the mayor's sergeants.

Mr. Gore said if the defendant was represented by an attorney that did away with the question, and the defendant need not appear in person. Addressing Mr. Tucker.—Do you appear for the defendant, or is the defendant unrepresented?

Tucker said he would admit that he was there to represent the defendant, and, if necessary, that the defendant had a knowledge of the summonses, but, in the interests of justice, he would appeal to the bench not to go into the case at present. The ground for his application was—first, that, seeing the serious position his client was placed in, and the gravity of the offence which he had to answer, sufficient time had not been granted him for the purpose of preparing his defence. There were three summonses taken out against his unfortunate client, and the information under which the present proceedings were taken was laid on one day and the summonses issued forthwith, returnable the very next day. Therefore, in fairness and justice to the defendant, the case should be adjourned for a reasonable time, to enable him to answer the charge. Again, the matter had been brought under the notice of the Tolzey-court judge, and his decision would be learnt in a few days as to whether the defendant would be struck off the roll of that court or fined. On that ground, also, he would appeal to the bench for an adjournment, to see the decision arrived at by the Tolzey-court officials. In conclusion, he said he did not think Mr. Norris wished to press the defendant unduly, and would not object to the application, which, in every sense, was a fair and reasonable one.

Norris said he did object to the application, and he applied that the case should go on in the absence of the defendant. That day only a gross fraud had been perpetrated on the magistrates. The person calling himself a clerk to the defendant had stated to the court resolutely and distinctly that the summonses had been placed on the table of the office and left there, leading them to believe the defendant had not been there and was entirely ignorant of the proceedings. It had been argued that certain hardships would result to the defendant if an adjournment was not granted, and that the proceedings of the Tolzey-court should be waited for. The charge that he would there have to answer had nothing to do with this court. The discourteous manner in which he had been treated by Mr. Tucker would not allow him, as far as he (Mr. Norris) was personally concerned, to consent to the application. If the magistrates were of opinion that the ends of justice would be frustrated if an adjournment was not granted then he would consent, but otherwise he would not.

The magistrates having consulted,

Mr. WILLS announced that they were of opinion that sufficient reasons had not been adduced for the application, and that the case should proceed.

Norris said the proceedings were taken under 37 & 38 Vict. c. 68, s. 12, which provided that "any person who wilfully and falsely pretends to be, or takes, or uses, any name, title, addition, or subscription, implying that he is duly qualified to act as an attorney or solicitor, or that he is recognized by law as so qualified, shall be guilty of an offence under this Act, and be liable to a penalty not exceeding the sum of £10 for each such offence." The learned counsel then detailed the case in which the defendant had acted as attorney at the late session, and said that when the cause came on for hearing the defendant instructed counsel, and urged that the

statement made by Mr. Price when the recorder was made acquainted with the facts brought him within the provisions of the Act of Parliament. The following witnesses were then examined for the prosecution:—

Mr. Ketherall, of the Tolzey-court, deposed that he was present at the Tolzey-court at the trial of the causes last week. He heard the case of *Phillips v. Adlam and Clements*, in which the plaintiff was nonsuited. At the time the present defendant was in court, and was apparently instructing the counsel for the complainant in the action before the recorder. Witness heard Mr. Norris make an application in reference to Mr. Price, who said he had no idea that such an application was to have been made, or he should have instructed counsel. There was no other writ issued in the case of *Phillips v. Adlam and Clements*, except that produced signed by Pearce. Only attorneys qualified to practise in the superior courts could practise in the Tolzey-court.

Mr. F. J. Tarr, clerk to Mr. Clifton, the solicitor for the defendants in the case of *Phillips v. Adlam and Clements*, deposed that he was acquainted with the handwriting of Pearce, who acted as clerk to Mr. Price. The writing on the indorsements produced was that of Pearce.

Norris having put in the *Law List*, which contains the names of the whole of the duly qualified solicitors,

Tucker, in answer to the magistrates, said he would admit that Mr. Price's name did not appear in the *Law List* of the present year.

Mr. J. R. Lloyd, clerk to Mr. Clifton, proved serving Mr. Price at his office, through his clerk, with a notice to produce his certificate.

Tucker urged that the word "person" in the section under which the present proceedings were instituted did not apply to attorneys, and in the second place practising in the Tolzey-court was not practising within the meaning of the Act.

Norris said that the evidence of Mr. Ketherall was sufficient for the latter point. The case was such a bad one that he should ask the magistrates to inflict the full penalty.

Mr. WILLS said he understood that there was more than one summons issued against the defendant, and he wished to know whether Mr. Norris intended to proceed with the others.

Norris said he would, with the permission of the bench, withdraw the others.

Mr. WILLS then said that the magistrates considered the case was fully made out, and the defendant would be fined £5, with costs.—*Bristol Daily Post*.

## Law Students' Journal.

### MICHAELMAS EXAMINATION, 1875.

Examination of Students of the Inns of Court, held at Lincoln's-inn Hall, on the 25th, 26th, and 27th of October, 1875.

The Council of Legal Education have awarded to James Valentine Austin, George James Banks, Henry William Eaden, Patrick Fleming Evans, James Chitty Hannon, Gerald Holbech Hardy, Raymond Maude Luelllyn, Robert Garret Moore, Edmund Parry Okeden, Frederick Joseph Patton, John Cunliffe Pickersgill-Cunliffe, Christopher Smyth, Narayanasayar Subrahmanyam, and Sir Olley Wakeman, Bart., of the Inner Temple; George Le Mesurier Gretton, Gilbert Stuart Henderson, Joseph Charles Hughesdon, Daniel Rankin MacAlpin, John MacIntyre, Michael Moloney, Henry Augustus Chichele Plowden, Stephen George Sale, Henry Spalding, Septimus Wall, and William Stewart White, of the Middle Temple; John Mitchel Chapman, John Charles Earle, Henry Walter Fell, Alexander Gordon, Charles Easton Jolliffe, Norman MacColl, Christopher William Cecil Procter, Thomas William Ratcliff, John Albert Slater, and Thomas Bertram Udall, of Lincoln's-inn; and William Trotman Stower Hewett and William Chase Walcott, of Gray's-inn, Esqs., certificates that they have satisfactorily passed a public examination.

## Court Papers.

### HIGH COURT OF JUSTICE.

#### NOTICE.

In order to save the expense and inconvenience of separate applications for directions as to the form and manner of procedure in actions commenced before the 1st of November inst., the judge sitting at chambers hereby directs—

(1) That where no declaration has been delivered the action shall be continued according to the ordinary course of the High Court of Justice as if it had been commenced in that court.

(2) That in all other cases the action shall be continued up to the close of the proceedings according to the practice of the court in which it was brought, and afterwards according to the provisions of the Judicature Act, subject, however, to an order, at the instance of either party, to proceed at any stage according to the course prescribed by those Acts.

By Order.

Judges' Chambers, Nov. 2, 1875.

#### NOTICE.

##### Stamps Marked "Judicature Fees."

The use of the temporary stamps marked "Judicature Fees" is not obligatory. The former stamps denominated "Chancery" and "Common Law" may be used for any of the judicature fees to which they are applicable in amount.

Inland Revenue, Nov. 3, 1875.

#### COURT OF APPEAL.

Michaelmas Sittings, 1875.

Wednesday, Nov. 3.

Errors from Queen's Bench Division.

Standing for Judgment.

Edwards v. The Aberayon Mutual Ship Society.

(Stands over till judgment given in special case.)

For Argument.

Pendlebury v. Greenhalgh.

Snoesby v. Lancashire and Yorkshire Railway Company.

Smith v. Union Bank of London.

Lands Security Company (Limited) v. Rankin.

Morgan v. Goulton. (No case lodged.)

Evans v. Hooper.

Reed v. Pritchard.

### GENERAL RULES AND REGULATIONS

As to the Preliminary, Intermediate, and Final Examination and Admission of Persons intending to become Solicitors of the Supreme Court; the taking out and renewal of their Certificates, and as to Re-admission of Solicitors and Custody of Documents.

Whereas by section 87 of the Supreme Court of Judicature Act, 1873, it is enacted that from and after the commencement of the Act all persons admitted as solicitors, attorneys, or proctors, or, empowered by law to practise in, any court the jurisdiction of which is thereby transferred to the High Court of Justice or the Court of Appeal, shall be called solicitors of the Supreme Court, and shall be entitled to the same privileges and be subject to the same obligations, so far as circumstances will permit, as if that Act had not passed; and all persons who from time to time, if that Act had not passed, would have been entitled to be admitted as solicitors, attorneys, or proctors, or, been by law empowered to practise in, any such courts, shall be entitled to be admitted and to be called solicitors of the Supreme Court, and shall be admitted by the Master of the Rolls, and shall, so far as circumstances will permit, be entitled as such solicitors to the same privileges and be subject to the same obligations as if that Act had not passed:

And whereas by section 14 of the Supreme Court of Judicature Act, 1875, it is enacted that the Registrar of Attorneys and Solicitors in England shall be called the Registrar of Solicitors, and that the Lord Chief Justice of England, the Master of the Rolls, the Lord Chief Justice of the Common Pleas, and the Lord Chief Baron of the Exchequer,

or any two of them, may from time to time, by regulation, adapt any enactments relating to attorneys, and any declaration, certificate, or form required under those enactments to the solicitors of the Supreme Court under section 87 of the principal Act, meaning thereby "The Supreme Court of Judicature Act, 1873":

And whereas we, the Right Honorable Sir Alexander James Edmund Cockburn, Baronet, Lord Chief Justice of England, the Right Honorable Sir George Jessel, Master of the Rolls, the Right Honorable John Duke Baron Coleridge, Lord Chief Justice of the Common Pleas, and the Right Honorable Sir Fitzroy Kelly, Lord Chief Baron of the Exchequer, have by regulations made in pursuance of the power contained in the 14th section of the Supreme Court of Judicature Act, 1875, declared that the several enactments relating to attorneys, and the declarations, certificates, or forms required under those enactments, shall be adapted to the solicitors of the Supreme Court under section 87 of the Supreme Court of Judicature Act, 1873, in the manner in the same regulations mentioned, being, except as to mere forms, the regulations hereinafter set forth (that is to say):—

"As regards sections 15, 16, 17, and 18 of the Act of the 6th and 7th years of the reign of her present Majesty, cap. 73, and section 11 of the Act of the 23rd and 24th years of the reign of her present Majesty, cap. 127: It shall be lawful for the Master of the Rolls, jointly with the judges of the Queen's Bench Division, Common Pleas Division, and Exchequer Division of the High Court of Justice, or with any eight or more of them (of whom the presidents of the said divisions shall be three), if they shall see fit so to do, to nominate and appoint examiners, and to make rules and regulations for conducting the examination of persons applying to be admitted as solicitors of the Supreme Court, as well touching the articles and service as the fitness and capacity of such persons to act as solicitors of the Supreme Court, including their fitness and capacity to act in matters of business usually transacted by solicitors. And if the Master of the Rolls, or any of the judges of the said three divisions shall, by such examination, or by the certificate of such examiners, be satisfied that such persons are duly qualified to be admitted to act as solicitors of the Supreme Court, then, and not otherwise, the Master of the Rolls shall and may administer the requisite oath, and cause such persons to be admitted solicitors of the Supreme Court, and their names to be enrolled as solicitors of such court, which admission shall be written on parchment and signed by the Master of the Rolls."

"With regard to section 20 of the said Act of the 6th and 7th years of the reign of her present Majesty, cap. 73: Such person or persons as the Lord Chief Justice of England, the Master of the Rolls, the Lord Chief Justice of the Common Pleas, and the Lord Chief Baron of the Exchequer shall for that purpose jointly appoint, shall have the custody and care of the rolls or books wherein persons are enrolled as solicitors of the Supreme Court, and shall be deemed and taken as the proper officer or officers for filing such affidavits as in the said Act mentioned; and he or they is or are hereby also respectively required, from time to time, without fee or reward other than as in the said Act mentioned, to enrol the name of every person who shall be admitted a solicitor of the Supreme Court pursuant to the directions in the said Act, and the time when admitted, in alphabetical order, in rolls or books to be kept for that purpose, to which rolls or books all persons shall and may have free access without fee or reward."

"And as regards section 8 of the said Act of the 23rd and 24th years of the reign of her present Majesty, cap. 127, the Presidents of the Queen's Bench Division, Common Pleas Division, and Exchequer Division of the High Court of Justice, jointly with the Master of the Rolls, may from time to time make regulations for the examination in such branches of general knowledge as they may deem proper of all persons (not having taken degrees or successfully passed such University examinations as in the said Act mentioned) hereafter becoming bound under articles of clerkship to solicitors. And the said judges, by such regulations, may require such examination to be passed either before persons so become bound, or at any time before their admission as solicitors as to the said judges may seem fit, and the said judges may from time to time revoke or alter any such regulations as they think fit, and may from time to time appoint examiners for conducting such examination as aforesaid. And the said judges or any one or more of them may, where, under special circumstances, they or he see fit

so to do, dispense with compliance with such regulations entirely, or partially, or subject to such conditions as to them or him may seem fit."

(To be continued.)

#### ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	COURT OF APPEAL.	MASTER OF THE ROLLS.
Monday, Nov. 8	Mr. Merivale	Mr. King
Tuesday .... 9	Latham	Farrer
Wednesday .. 10	Milne	King
Thursday .... 11	Latham	Farrer
Friday ..... 12	Merivale	Farrer
Saturday .... 13	Milne	King

  

	V. C. MALINS.	V. C. BACON.	V. C. HALL.
Monday, Nov. 8	Mr. Holdship	Mr. Clowes	Mr. Ward
Tuesday .... 9	Teesdale	Leach	Pemberton
Wednesday .. 10	Holdship	Clowes	Ward
Thursday .... 11	Teesdale	Leach	Pemberton
Friday ..... 12	Holdship	Clowes	Ward
Saturday .... 13	Teesdale	Leach	Pemberton

#### PUBLIC COMPANIES.

##### RAILWAY STOCK.

	Railways.	Paid.	Closing Price.
Stock	Bristol and Exeter .....	100	140
Stock	Caledonian .....	100	131½
Stock	Glasgow and South-Western .....	100	111
Stock	Great Eastern Ordinary Stock .....	100	52
Stock	Great Northern .....	100	139
Stock	Do., A Stock .....	100	151
Stock	Great Southern and Western of Ireland .....	100	112
Stock	Great Western—Original .....	100	119
Stock	Lancashire and Yorkshire .....	100	142½
Stock	London, Brighton, and South Coast .....	100	118
Stock	London, Chatham, and Dover .....	100	107
Stock	London and North-Western .....	100	146
Stock	London and South Western .....	100	124½
Stock	Manchester, Sheffield, and Lincoln .....	100	85
Stock	Metropolitan .....	100	101½
Stock	Do., District .....	100	45½
Stock	Midland .....	100	149
Stock	North British .....	100	116½
Stock	North Eastern .....	100	169
Stock	North London .....	100	117
Stock	North Staffordshire .....	100	77
Stock	South Devon .....	100	63
Stock	South-Eastern .....	100	132

\* A receives no dividend until 6 per cent. has been paid to B.

#### MONEY MARKET AND CITY INTELLIGENCE.

The rate of discount still remains at 4 per cent. The proportion of reserve to liabilities has fallen from 41½ last week to 39½. There has not been much fluctuation during the week. Foreign stocks were depressed this afternoon, but railways remain at about last week's prices. Consols closed at 94½ to 94½ for money, and 94½ to 94½ for account.

#### BIRTHS AND DEATHS.

##### BIRTHS.

DEANE—Oct. 29, at 26, York-street, Portman-square, the wife of Henry C. Deane, of Lincoln's-inn, barrister-at-law, of a daughter.

ILES—Oct. 27, at 5, The Lawn, Balham-park, the wife of J. Arthur Iles, solicitor, of a son.

RUSSELL—Nov. 1, at Hornsey-lane, Highgate, the wife of T. Clarkson Russell, solicitor, Supreme Court, of a daughter.

SMALL—Nov. 4, at Oakfield Villa, Bedford, the wife of William Small, solicitor, of a son.

WASTENEYS—Oct. 25, at 15, Harewood-square, N.W., the wife of W. Wasteneys, barrister-at-law, of a daughter.

##### DEATHS.

DAWES—Oct. 30, Edwin Nathaniel Dawes, solicitor, Ryegate, Sussex, aged 69.

INGHAM—Oct. 21, at Westoe, Robert Ingham, Q.C., aged 82.

PITT—Oct. 25, William Pitt, the Managing Clerk of Messrs. Ashurst, Morris, & Co.

#### LONDON GAZETTES.

##### Winding up of Joint Stock Companies.

FRIDAY, Oct. 29, 1875.

LIMITED IN CHANCERY.

Birmingham (Blakely Hall) Coal and Ironstone Company, Limited.—Petition for winding up, presented Oct 13, directed to be heard before V.C. Bacon on Saturday, Nov 6. Daigman and Saules, Bedford row, agents for Daigman and Co, Walsall, solicitors for the petitioner.

Patent Riband Telegraph Post Company, Limited.—The M.R. has fixed Tuesday, Nov 9, at 12, at his chambers, for the appointment of an official liquidator.

Tinfold Decorative Painting Company, Limited.—Petition for winding up, presented Oct 7, directed to be heard before V.C. Bacon on Nov 6. Abrahams and Roffey, Old Jewry, solicitors for the petitioner.

TUESDAY, Nov. 2, 1875.

LIMITED IN CHANCERY.

Anglo-German Marezio Marble Company, Limited.—The M.R. has fixed Nov 10, at 11, at his chambers, for the appointment of an official liquidator.

Gostling and Company, Limited.—Petition to continue the voluntary winding up, presented Oct 25, directed to be heard before V.C. Bacon on Saturday, Nov 13. Davis and Co, Moorgate st, solicitors for petitioner.

Llynvi Valley Colliery Company, Limited.—Petition for winding up, presented Oct 30, directed to be heard before V.C. Malins on Friday, Nov 12. Clarke and Co, Lincoln's inn fields, agents for Fassel and Co, Bristol, solicitors for the petitioner.

Pontypool Fire Brick and Coal Company, Limited.—Petition for winding up, presented Oct 27, directed to be heard before V.C. Hall on Nov 12. Wrentham, Chancery lane, agent for Greenway and Bythway, Pontypool, solicitors for the petitioner.

Surrey Gardens, Limited.—Petition for winding up, presented Oct 27, directed to be heard before V.C. Hall on Nov 12. Haynes, Ironmonger lane, solicitor for the petitioner.

##### Friendly Societies Dissolved.

FRIDAY, Oct. 29, 1875.

Liverpool Ship Joiners' Friendly Society, Ranelagh st, Liverpool. Oct 19

Swiss and United Couriers' Society, Mount st, Grosvenor square. Oct 23

##### Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Oct 29, 1875.

Bannerman, Ellen, Connaught square, Hyde park. Jan 28. Pilgrim and Phillips, Church court, Lothbury

Berwick, Sepia, Dowager Lady, Leamington, Warwick. Nov 30

Genn and Locker, Birmingham

Brothurst, Keila, Rugeley, Stafford, Bit Manufacturer. Dec 1.

Stanley, Walsall

Cooper, Frederick Thomas, Barslem, Stafford, Gent. Dec 1. Fisher and Hodges, Newport, Salop

Cullumbine, Jonathan, Warsop, Nottingham, Joiner. Dec 1. Parsons, Mansfield

Dyche, Joseph, Derby, Gent. Dec 7. Robotham, Derby

Emerton, Joseph, Church st, Chelsea, Contractor. Nov 25. Sherrard Lincoln's inn fields

Gladstone, Murray, Manchester, Merchant. Dec 31. Pears and Co, Liverpool

Gowland, John Thomas, Sidney, New South Wales, Staff Commander R. N. Nov 20. Western, Charing cross

Hadden, Charles, Collycroft, Redworth, Warwick, Victualier. Dec 23.

Dewes and Bone, Nuneaton

Harris, Lewis, St Thomas' gardens, Haverstock hill, Engraver. Dec 1. Hannah Walters, Caledonia st, King's cross

Higginbottom, Isaac, Withington, nr Manchester. Feb 1. Bond and Son, Manchester

Jacquier, James, Dartford, Kent, Machinist. Jan 1. Walters and Gash, Finsbury circus

Lyne, John Philip, Liskeard, Cornwall, Esq. Nov 30. Childs and Son, Liskeard

Maryon, Samuel William, Chelmsford, Essex. Dec 1. Arthy and Bell, Chelmsford

Mathews, Richard Gardner, Maplecroft, Wilts, Esq. Jan 1. Parson and Lee, Abchurch House, Sherborne lane

Morgan, Rev Henry Charles, Goodrich Vicarage, nr Ross, Hereford. Dec 1. Minetti and Co, Ross

Morgan, Edward, Parr Hall, near St Helen's, Lancashire, Gent. Nov 30. Vyner, Lincoln's inn fields

Readman, Henry, Mortimer st, Cavendish square, Chemist. Dec 8.

Readman, Stockton-on-Tees

Ridge, John, Birmingham, House Agent. Jan 31. Cottrell, Birmingham

Roberts, John, Westmancoote. Breton, Worcester, Market Gardener. Dec 1. Knott, Worcester

Scarborough, John, Sussex, Chinaman. Dec 31. Chalk, Brighton

Sewell, Henry, Gallewood Common, Great Baddow, Essex, Yeoman. Dec 1. Arthy and Bell, Chelmsford

Spier, Elizabeth, Newland, Whitney, Oxford. Jan 23. Allen, Waterloo place, Pall mall

Sterling, John, Newcastle-upon-Tyne, Confectioner. Nov 25. Forster and Co, Newcastle-upon-Tyne

Talbot, Elizabeth, Handsworth, Stafford. Jan 31. Cottrell, Birmingham

Walker, Joseph, Barslem, Stafford, Surgeon. Nov 30. Ingle and Co, Thredneedle st

Wilkins, Emily Ann, Bristol. Nov 15. Lawes, Bristol

Williams, Susan Ann, Moasmouth Torquay, Devon. Dec 14. Prothero, and Fox, Newport

Wise, John, Southsea, Commander R.N. Nov 13. Hildreth and Ommauney, Norfolk st, Strand

TUESDAY, Nov 2, 1875.

Allison, Windsor, Throgmorton st, Stock Broker. Dec 1. Shearman, Little Tower st

Anderson, Charles, Lower Belgrave st, Eton square, Chemist. Dec 31. Croose, Lancaster place, Strand



Baldry, Mary, South Shields, Durham. Nov 25. Bell, South Shields  
 Barrett, Robert, Hereford, Draper. Jan 1. Humfry, Hereford  
 Bennett, John, Aliborough, Hereford. Jan 1. Humfry, Hereford  
 Bettbridge, Richard Hopkine, Milton Hill, Berks, Gent. Jan 1. Graham  
 and Sons, Abingdon  
 Carr, William, South Shields, Durham, Gent. Nov 25. Bell, South  
 Shields  
 Carroll, John, Lansdowner, Notting hill, Esq. Nov 27. Jenkyn,  
 Lincoln's inn fields  
 Cook, William, New Cross rd, Deptford, Gent. Jan 1. Lamb and  
 Brooks, Odham  
 Creber, William, Ashburton, Devon, Bank Manager. Dec 25. Whid-  
 borne and Tizer, Teignmouth  
 Davies, John, Doifor, Montgomery, Farmer. Dec 1. Woosnam and  
 Talbot, Newtown  
 Dodgson, Thomas, Halifax, York, Woolstapler. Nov 20. Hill,  
 Halifax  
 Emalie, William Stuart, St Michael's alley, Cornhill, Average Adjuster.  
 Dec 8. Parker and Clarke, St Michael's alley, Cornhill  
 Gowenlock, James, Manchester, Millwright. Feb 2. Bullock, Man-  
 chester  
 Harrison, Henry, Northfleet, Kent, Gent. Jan 1. Walker, York  
 Hill, Thomas, Derby, Iron Founder. Dec 10. Gadsby, Derby  
 Holmes, William, Brookfield, Lymington, Sussex, Gent. Jan 1.  
 Holmes, Arundel  
 Jackson, Richard, Sheriff Hutton, York Gent. Jan 1. Wood, York  
 Jones, Thomas, Newtown, Montgomery, Warehouseman. Dec 1.  
 Woosnam and Talbot, Newtown  
 Knowles, William, Halifax, York, Cotton Spinner. Dec 9. Seger,  
 Tadmor  
 Leach, William, Brixton rd, Licensed Victualler. Dec 1. Child,  
 Paul's Bachelors court, Doctors' commons  
 Lovett, William, Old park, Bury Farm, Hertford, Farmer. Jan 1. Beal,  
 Sessions House, Clerkenwell  
 Mansfield, Henry Morton, Ercildown, Victoria, Farmer. Nov 21.  
 Flux and Leadbetter, Leadenhall st  
 Makers, Rev Edward James, Chester-le-streaf, Durham. Nov 29. May,  
 Russell square  
 Mould, William, South Shields, Durham, Ship Carpenter. Nov 28.  
 Bell, South Shields  
 Part, James, Camden rd, Doctor of Medicine. Dec 31. Dar ley and  
 Cumberland, John st, Bedford row  
 Postle, Elizabeth Benedicta, Ventnor, Isle of Wight. Nov 29. May,  
 Russell square  
 Proger, John, Great Windmill st, Haymarket, Die Sinker. Nov 29.  
 May, Russell square  
 Rhodes, John, Croydon, Surrey, Gent. Dec 11. Rowland, Croydon  
 Sandilands, Hullen, Belize park. Dec 1. Watkins and Co, Sackville st  
 Sandilands, John, Conduit st, Bond st, Westminster. Dec 1. Watkins  
 and Co, Sackville st  
 Strickland, William, Peterborough, Northampton, House Decorator.  
 Dec 1. Descoe and Wilkins, Peterborough  
 Thomas, Thomas Manners, Tipton, Stafford, Corn Merchant. Nov 15.  
 Southall and Co, Birmingham  
 Tovey, George Henry, Bristol, Licensed Victualler. Dec 1. Heaven  
 and Bowman, Bristol  
 Wortley, William Nathaniel, Highbury terrace, Gent. Dec 1. Worth-  
 ington and Co, Eastcheap

**Bankrupts.**

FRIDAY, Oct. 29, 1875.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Marrett, William Richard, Great St Helen's. Pet Oct 26. Brougham  
 Nov 10 at 2  
 Nelson, Julius, Milk st, Velvet Warehouseman. Pet Oct 26. Brougham  
 Nov 9 at 2  
 Sherman, James Westran, Park place, Regent's park. Pet Oct 25.  
 Brougham. Nov 9 at 1  
 Sutton, John, Great Winchester st buildings. Pet Oct 26. Brougham.  
 Nov 10 at 1.30  
 Yardley, William, Willenden Junction, Beershop Kieper. Pet Oct 25.  
 Brougham. Nov 16 at 11

To Surrender in the Country.

Bell, Andrew, Manchester, Engineer. Pet Oct 29. Hulton. Salford,  
 Nov 10 at 1  
 Lowe, Joseph, Thringstone, Leicester, Innkeeper. Pet Oct 26. Good-  
 ger. Burton-on-Trent, Nov 15 at 11  
 Simon, Henrietta Margaret, Ealing. Pet Oct 26. Ruston. Brentford  
 Nov 15 at 10

TUESDAY, Nov. 2, 1875.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in the Country.

Macarthur, Alexander Coghill, New st, Cloth Fair, Packing Case  
 Maker. Pet Oct 30. Brougham. Nov 23 at 11  
 Vandelaar, Charles, and Arthur Walker, Upper Thames st, Drysalter.  
 Pet Oct 29. Spring-Rice. Oct 16 at 1.30

To Surrender in the Country.

McMaster, Allan, Sheffield, Commercial Traveller. Pet Oct 28. Wake,  
 Sheffield, Nov 17 at 2  
 Marler, Edouard Paul Louis, Peterborough, Northampton, Hair-  
 dresser. Pet Oct 20. Gaches. Peterborough, Nov 15 at 12

**BANKRUPTCIES ANNULLED.**

FRIDAY, Oct. 29, 1875.

Bedford, John, Grantham, Lincoln, Boot Manufacturer. Oct 25  
 Cow, Henry, Great Yarmouth, Norfolk. Oct 25

TUESDAY, Nov. 2, 1875.

Duncan, William Alexander, Park rd, Forest hill, Grocer. Oct 29

**Liquidation by Arrangements.****FIRST MEETINGS OF CREDITORS.**

FRIDAY, Oct. 29, 1875.

Ames, George Adam, Norwich, Carpenter. Nov 9 at 3 at offices of  
 Winter and Francis, St Giles st, Norwich

Anderson, William, Chapwater, Monmouth, Tailor. Nov 5 at 11 at  
 offices of Graham, Commercial st, Newport  
 Arthur, William, Holland rd, Kensington. Nov 23 at 2 at offices of  
 Linklater, Walbrook  
 Parker, James, Rochdale, Lancashire, Iron Dealer. Nov 10 at 3 at  
 offices of Brierley, The Walk, Rochdale  
 Bellairs, Jeremiah, Holbeach, Lincoln, Potato Merchant. Nov 10 at 2  
 at offices of Wilkin, Furnival's inn  
 Booker, Ebenezer, Park st, Camden Town, Fishmonger. Nov 10 at 1  
 at 9, King Edward st, Newgate st. Miles  
 Bowden, George, Stockport, Cheshire, Auctioneer. Nov 10 at 4 at  
 offices of Best, Lower King st, Manchester  
 Bradley, Charles, Middleborough, York, Music Seller. Nov 11 at 11  
 at offices of Lucas, Great Marlborough st  
 Brown, Richard, Halifax, York, Cap Manufacturer. Nov 11 at 1 at  
 offices of Beswick, Albion st, Leeds. Laming, Halifax  
 Bushby, John, Popham rd, New North rd, Islington, Grocer. Nov 5 at  
 2 at offices of Farry, Basinghall st  
 Clarke, Felix George, Paternoster square, Linen Collar Manufacturer.  
 Nov 8 at 2 at offices of Beall, Queen's buildings, Queen Victoria st  
 Cole, George, Birmingham, Carpenter. Nov 17 at 12 at offices of  
 Rowlands and Bagnall, Colmore row, Birmingham  
 Cook, Robert Hancock, Liskeard, Cornwall, Grocer. Nov 10 at 2 at  
 Webb's Hotel, Liskeard. Square, Plymouth  
 Cope, Titus, Stoke-upon-Trent, Stafford, Carter. Nov 10 at 3 at offices  
 of Turner, Albion st, Hanley  
 Cossens, Robert, Cheltenham, Gloucester, Accountant. Nov 8 at 12 at  
 offices of Potter, Northfield House, North place, Cheltenham  
 Dew, James, Much Birch, Hereford, Farmer. Nov 11 at 3 at offices of  
 Corner, High town, Hereford  
 Fell, James, Dewsbury, York, Tailor. Nov 13 at 11 at offices of  
 Walker, Dewsbury  
 Franklin, John, Ruscombe, Stroud, Gloucester, Builder. Nov 18 at 1  
 at offices of Ford, Rowcroft, Stroud. Davis, Stroud  
 Galatti, John Sergio, Bloomfield st, Merchant. Nov 25 at 2 at offices  
 of Turquand and Co, Tokenhouse yard. Freshfield and Williams,  
 Bank buildings  
 Galloway, Robert, Great Yarmouth, Norfolk, Snack Owner. Nov 9 at  
 11 at offices of Moseley, Hall plain, Great Yarmouth  
 Graham, George, Darlington, Durham, Grocer. Nov 13 at 11 at offices  
 of Robinson, Chancery lane, Darlington  
 Griffiths, John, Cardiff, Glamorgan, Excursion Agent. Nov 8 at 2 at  
 offices of Dixon, Trefegar place, Newport  
 Griffiths, Samuel, Mesford Farm, nr Stone, Stafford, Farmer. Nov 6  
 at the Crown Hotel, Stone, in lieu of the place originally named  
 Hamilton, Robert Gordon, Liverpool, Cotton Broker. Nov 8 at 2 at  
 offices of Belringer, North John st, Liverpool  
 Harding, John, Ludlow, Salop, Grocer. Nov 16 at 2.30 at offices of  
 offices of Southern and Montford, Castle st, Ludlow  
 Harvey, Edward William, Market place, Devon's rd, Bromley-by-Bow,  
 Butcher. Nov 15 at 1 at offices of Shearman, Gresham st  
 Hazeltine, Charles, Middle row, Spitalfields Market, Greengrocer. Nov  
 6 at 10.30 at the Victoria Tavern, Morphett rd. Long, Landsdown  
 terrace, Grover rd  
 Hill, Daniel, Stroud, Gloucester, Grocer. Nov 15 at 3 at offices of  
 Wittichell, Lansdown, Stroud  
 Hodge, William Henry, Healey st, Kentish town, Commercial Clerk.  
 Nov 6 at 4 at offices of Seale, Clement's lane  
 Hughes, Shadrach, West Dean, Gloucester, Grocer. Nov 11 at 1 at the  
 White Swan Inn, Monmouth. Hulstet, Coleford  
 Hurry, William John, Duddington, Cambridge, Grocer. Nov 8 at 11 at  
 the Wentworth Hotel, Westworth st, Peterborough. Smith,  
 Peterborough  
 Jackson, William Thomas, Peterborough, Northampton, Fishmonger.  
 Nov 12 at 12 at offices of Brown and Co, Queen st, Peterborough  
 Jeffries, James, Ardwick, Manchester, Contractor. Nov 15 at 4 at  
 offices of Best, Lower King st, Manchester  
 Johnson, Mark, Huxton, Lancashire, Chemist. Nov 15 at 3 at offices  
 of Barrell and Rodway, Lord st, Liverpool  
 Jones, Thomas William, Lower Sloane st, Chelsea, Oilman. Nov 8 at  
 1 at 9, King Edward st, Newgate st. Miles  
 Kelghley, Arthur Montague, Beeton, Nottingham, Licensed Victualler.  
 Nov 12 at 3 at offices of Cranch and Stroud, Low pavement, Notting-  
 ham  
 King, William Goadyear, Nash, Buckingham, Timber Dealer. Nov 19  
 at 12.30 at the Railway Hotel, Blechley. Shepherd, Luton  
 Kirkham, Francis, Sheffield, Shipkeeper. Nov 12 at 11 at offices of  
 offices of Binney and Sons, Queen st, Chancery, Sheffield  
 Lancaster, Thomas, Barrow-in-Furness, Lancashire, Grocer. Nov 12 at  
 12 at the Victoria Hotel, Church st, Barrow-in-Furness. Jackson,  
 Ulverston  
 Lepine, William George, Upper Kennington lane, Vauxhall, Boot  
 Maker. Nov 10 at 3 at 43, Lorrimer rd, Walworth. Hicks, Annie  
 rd, South Hackney  
 Lovick, John, Brook st, Ratcliffe, Journeyman Butcher. Nov 13 at 12  
 at offices of Holloway, Bal's Pond rd, Islington. Cooper, Chancery  
 lane  
 Lockley, John, Walsall, Stafford, Miner. Nov 10 at 3 at offices of  
 Bill, Bridge st, Walsall  
 Lowe, William Henry, Liverpool, Boot Maker. Nov 10 at 2.30 at offices  
 of Quinn and Sons, Lord st, Liverpool  
 Lumb, Henry, Liversedge, York, Stuff Manufacturer. Nov 11 at 11 at  
 offices of Curry, Cleecheaton  
 Maish, George Knuch, and William Maish, Manchester, Paper  
 Collar Manufacturers. Nov 10 at 3 at offices of Chester and Co,  
 S. Apple inn  
 Mason, George Johnstone, Manchester, Decorator. Nov 16 at 2 at offices  
 of Burnett, Brown st, Manchester. Marshall, Manchester  
 Millman, John Tidd Pratt, Skirbeck, Lincoln, Bill Poster. Nov 8 at 11  
 at offices of Thomas, Emery lane, Boston  
 Mortimer, Frederick Gomersal, Jarrow, Durham, Draper. Nov 11 at  
 2 at offices of Simpson and Burrell, Albion st, Leeds  
 Merton, James Basham, Wretton, Norfolk, Farmer. Nov 12 at 12 at  
 offices of Wilkin, Athenum chambers, King's Lynn  
 Muir, Donald, Bow common, Oil Refiner. Nov 23 at 2 at offices of  
 Phelps and Sigwick, Gresham st  
 Murney, Bernard James, Foulderton, Lancashire, Boot Manufacturer.  
 Nov 16 at 12 at offices of Dawson, Ridgefield, Manchester

Orrell, Joseph, Great Crosby, nr Liverpool, Batchers. Nov 11 at 2 at offices of Smith and Co, Brunswick st, Liverpool  
 Pike, Richard William, Strumwick Marshall, Dorset, Wheelwright. Nov 5 at 11 at offices of Moore, Wimbore Minister  
 Playfair, David, Newcastle-upon-Tyne, Cabinet Maker. Nov 18 at 2 at offices of Winship, Victoria buildings, Grainger st west, Newcastle-upon-Tyne  
 Priddy, Sophia, Hacheston, Suffolk, Grocer. Nov 10 at 2 at the Coach and Horses Hotel, Brook st, Ipswich, Notcutt  
 Reese, Thomas Windsor, Banfort, Brecon, Green grocer. Nov 15 at 3 at offices of Jones, Frognore st, Aberystwyth  
 Rhodes, Emanuel, Wolverhampton, Stafford, Edge Tool Maker. Nov 13 at 11 at offices of Underhill, Darlington st, Wolverhampton  
 Roberts, William, Manchester, Furniture Dealer. Nov 11 at 5 at offices of Hampson and Wainley, King st, Manchester  
 Robertson, Lawrence, Ulverston, Lancashire, Commission Agent. Nov 10 at 11 at the Temperance Hall, Ulverston, Jackson  
 Robertson, William, Dowgate Hill, Accountant. Nov 8 at 3 at offices of Yeo and Warner, Hart st, Bloomsbury square  
 Robinson, John, Barrow-in-Furness, Lancashire, Watch Maker. Nov 9 at 11 at the Sun Hotel, Ramsden st, Barrow-in-Furness. Bradshaw and Pearson, Barrow-in-Furness  
 Schofield, Jonathan, Wootton, Lincoln, Publican. Nov 10 at 11 at offices of Nowell and Priestley, Barton-on-Humber  
 Shiley, Henry Gibbs, Boreford st, Woolwich, Sign Writer. Nov 11 at 3 at the Sheafhead Public-house, Henry st, Woolwich. Cooper, Chancery lane  
 Smith, Edward, Liverpool st, Waltham rd, out of business. Nov 5 at 3 at offices of Chipperfield, Trinity st, Southwark  
 Smith, George Edward, Batley Carr, York, Painter. Nov 12 at 3 at offices of Good, Union st, Dewsbury. Iberson, Dewsbury  
 Smith, Thomas Alfred, Coehorne terrace, Richmond rd, South Kensington, Glass Dealer. Nov 10 at 3 at offices of Parker and Locke, The Pavement, Clapham  
 Smithers, Samuel, Crescent place, Hackney rd, Sawyer. Nov 15 at 3 at offices of Lees and Lewis, Ely place, Highbury  
 Sowton, George, and Charles Jonathan Sowton, Nunhead Railway Station, Coal Merchants. Nov 15 at 2 at offices of Field and Co, Metropolitan buildings, Queen Victoria st, Warrington  
 Standley, George, Leeds, Boot Dealer. Nov 10 at 12 at offices of Rooke and Midgley, White Horse st, Bear lane, Leeds  
 Taylor, John Mercer, Salem place, Walham green, Mineral Water Manufacturer. Nov 10 at 3 at offices of Griffiths and Griffiths, King st, Chesham  
 Thompson, James, Southport, Lancashire, Draper. Nov 10 at 10.30 at offices of Ely, Lynd st, Liverpool  
 Trim, Frederick, Twickenham, Middlesex. Nov 6 at 4 at offices of Froggart, Argyll st, Regent st  
 Truman, Edwin Philip, Weston-super-Mare, Somerset, Fishmonger. Nov 16 at 12 at the Talbot Hotel, Victoria st, Bristol. Chapman, Weston-super-Mare  
 Wainwright, John Wilson, Upton park Farm, Salop, Farmer. Nov 9 at 3 at offices of Miller and Co, Church st, Kidderminster  
 Washington, George, Longsight, Lancashire, Dealer. Nov 11 at 11 at offices of Tremewen, Brazanose st, Manchester  
 Wayco, J, Joseph, Reigate, Surrey, Builder. Nov 16 at 3 at offices of Wood and Hare, Basinghall st  
 Whitfield, Edwin, Shipley, York, Cabinet Maker. Nov 10 at 11 at offices of Lees and Co, New Inn gate, Bradford  
 Wilks, Alfred, Fern st, Devon rd, Bromley-by-Bow, Carman. Nov 6 at 10.15 at offices of Miller, Globe rd, Mile end  
 Woolston, George Thomas, Stockport, Cheshire, Pianoforte Dealer. Nov 11 at 4 at offices of Best, Lower King st, Manchester  
 Wyther, George Washington, and Samuel Wyther, Bilston, Stafford, General Drapers. Nov 13 at 11 at offices of Barrow, Queen st, Wolverhampton

## TUESDAY, Nov. 2, 1875.

Abbott, Thomas, and Alexander Wilson, Newark-upon-Trent, Nottingham, Boiler Makers. Nov 17 at 12 at the George Hotel, George st, Nottingham. Fraser, Nottingham  
 Allard, Robert, Bedford, Suffolk, Cattle Dealer. Nov 25 at 12 at the Fox Hotel, Stowmarket. Jennings, Ipswich  
 Anderson, John, Liverpool, Coach Builder. Nov 16 at 12 at offices of Carruthers, Clifton square, Liverpool  
 Bagg, Thomas, Taunton, Somerset, Innkeeper. Nov 15 at 11 at offices of Reed and Cook, Paul st, Taunton  
 Baker, Rev Charles, Pembroke square, Bayswater. Nov 13 at 11 at offices of Dyte, Fleet st, Woodcock, New Inn  
 Bell, Robert, Rainhill, Lancashire, Joiner. Nov 17 at 2 at offices of Gibson and Bolland, South John st, Liverpool  
 Bennett, James, Chancery, Hanover, Carman. Nov 11 at 3 at offices of Shuttle, Portland st, Southampton  
 Boal, Alexander Blackwood, and Joseph Walbran Tate, Halifax, York, Boot Manufacturers. Nov 11 at 11 at offices of Longbottom, Northgate chambers, Halifax  
 Bonsey, Charles, Barrow-in-Furness, Baker. Nov 15 at 12 at the Victoria Hotel, Church st, Barrow-in-Furness. Jackson  
 Boothman, John Thomas, and Henry Boothman, Huddersfield, York, Indigo Dyers. Nov 15 at 3 at offices of Ramsden and Sykes, John William st, Hadfield  
 Burton, Edward Greene, Liverpool, Produce Broker. Nov 15 at 2 at offices of Gibson and Bolland, South John st, Liverpool. Eddy, Liverpool  
 Cadby, Frederick, Birmingham, Glass Dealer. Nov 15 at 12 at offices of Ledbury, Newhall st, Birmingham  
 Camp, Isa Manley, Portsmouth, Hants, Fruiterer. Nov 13 at 4 at offices of King, North st, Portsea  
 Chambers, Joseph, Bilston, Stafford, Miner. Nov 20 at 12 at offices of Fellows, Mount Pleasant, Bilston  
 Chasfer, Charles Edward, Loxton, Stafford, General Draper. Nov 13 at 10.30 at 4, York st, Manchester. Adderley, Loxton  
 Clarke, Samuel Robert, Sheffield, Grocer. Nov 12 at 12 at offices of Hodgson, Bank st, Sheffield  
 Cogzeli, James, Willaston, nr Stourbridge, Worcester, Fruiterer. Nov 15 at 11 at offices of Wall, Union chambers, Stourbridge  
 Cotes, Edward Silence, Ferdinand st, Camlet town, Grocer. Nov 10 at 3 at the Masons' Hall Tavern, Muesons avenue, Basinghall st. Williams

Conyers, Thomas Kilburn, Friday st, Cloth Merchant. Nov 16 at 2 at offices of Lowrey, South parade, Leeds. North and Sons, Leeds  
 Cook, William John, Reading, Berks, Coal Merchant. Nov 12 at 3 at offices of Dodd, Friar st, Reading  
 Crump, Thomas, Ross, Hereford, Batchers. Nov 16 at 3 at Bryant's court, Brookland st, Ross. Adams, Upton Bishop  
 Davis, Ann, Handsworth, Stafford, out of business. Nov 16 at 3 at offices of Parry, Bennett's hill, Birmingham  
 Dixon, John, Kingston-upon-Hull, Cabinet Maker. Nov 12 at 3 at offices of Pickering, Parliament st, Kingston-upon-Hull. Laverack, Hull  
 Dolling, Rudolph Gottlob, Wibsey, York, Manufacturer. Nov 17 at 11 at the Victoria Hotel, Bradford. Atkinson, Bradford  
 Downes, James, Manchester, Confectioner. Nov 15 at 3 at the Falstaff Hotel, Fleet place, Manchester. Ward, Manchester  
 Drew, George, Ashton, nr Birmingham, Grocer. Nov 15 at 3 at offices of Parry, Bennett's hill, Birmingham  
 Durrant, William, Luton, Bedford, Butcher. Nov 17 at 11 at offices of Shepherd, Park st, Luton  
 Ely, Joshua, Doddington, Kent, Fruiterer. Nov 15 at 2 at offices of Johnson, Faversham  
 Emery, Sarah, Congleton, Cheshire, Glass Dealer. Nov 19 at 3 at offices of Tompkinson and Furnival, Hanover st, Burslem. Furnival, Burslem  
 Fairless, John Davidson, Sunderland, Durham, Batchers. Nov 11 at 11 at offices of Haswell, Norfolk st, Sunderland  
 Fullwood, George, Wandsworth, Miller. Nov 11 at 2 at the Auction Mart, Tokenhouse yard. Duffield and Bruty, Tokenhouse yard  
 Glave, Albert, Newent, Gloucester, Watch Maker. Nov 26 at 12 at offices of Cooke, Newent  
 Goodwin, William, Buxton, Derby, Coach Builder. Nov 15 at 11 at offices of Hampson and Wainley, King st, Manchester  
 Graham, John, Wellington, Somerset, Tailor. Nov 15 at 11 at offices of Beves, Mary st, Taunton  
 Green, Robert Merrick, Mossley villas, Northumberland park, Tottenham, Mercantile Clerk. Nov 10 at 2 at offices of Kennedy, Warwick court, Gray's inn  
 Hall, Harle, Newcastle-upon-Tyne, Bruahmaker. Nov 22 at 2 at offices of Benning, Grainger st, Newcastle-upon-Tyne  
 Hancock, William, Leeds, Tailor. Nov 17 at 12 at offices of Middleton and Sons, Park st, Leeds  
 Harris, Samuel, Birmingham, General Dealer. Nov 16 at 11 at offices of Smith, Temple st, Birmingham  
 Harvey, Joshua, Caistor, Norfolk, Hay Dealer. Nov 13 at 11 at the Aquarium Hotel, Great Yarmouth. Rees and Co, Chancery lane  
 Hill, George, New Malton, York, Cabinet Maker. Nov 15 at 3 at the George Inn, New Malton. Simpson, New Malton  
 Hirst, Sarah Ellen, Oldham, Lancashire, Grocer. Nov 15 at 11 at offices of Clark, Clegg st, Oldham  
 Home, Thomas, Warrington, Durham, Grocer. Nov 11 at 2 at offices of S-well, Grey st, Newcastle-upon-Tyne  
 Johnson, William, Manchester, Bootmaker. Nov 18 at 3 at the Clarence Hotel, Spring gardens, Manchester. Rical, Manchester  
 Jones, Thomas Cambrian, Celn Maur, Denbigh, Draper. Nov 15 at 1 at the Wynnstay Arms Hotel, Wrexham. Longueville and Co, Oswestry  
 Kaitensell, Gustavus William, and Louis Alexander Campbell, Leadenhall, Merchants. Jan 31 at 2 at the City Terminus Hotel, Cannon st. H. Island and Co, Alding lane  
 Kerr, Thomas, Wheeler, place, Havercost hill, Boot Maker. Nov 11 at 3 at 4, Great Winchester st buildings. Maude  
 Kettle, Benjamin, Harwich, Essex, Tailor. Nov 19 at 12 at offices of Watts, Butter Market, Ipswich  
 Leigh, John, Bradford, Lancashire, Foreman Butcher. Nov 15 at 2 at offices of Duckworth, Brown st, Manchester  
 Lemaitre, Jules, Canterbury, Teacher of Languages. Nov 16 at 1 at the Rose Hotel, Canterbury. Delaure, Canterbury  
 Lloyd, John, Johnstown, Carmarthen, Contractor. Nov 9 at 11 at offices of Green and Griffiths, Mary st, Carmarthen  
 Lovegrove, Thomas Henry, South row, Covent Garden Market, Licensed Victualler. Nov 20 at 2 at offices of Smith, Southampton row, Bloomsbury. Tibbitts, Field court, Gray's inn  
 Lowrie, George, Spennymoor, Durham, Hosier. Nov 16 at 12 at offices of Macdonald, Mosley st, Newcastle-upon-Tyne  
 Matthews, Edward, Salmors lane, Limehouse, Boot Maker. Nov 22 at 1 at offices of Coburn, Leadenhall  
 May, Charles, Langley Fitzwils, Wilts, General Dealer. Nov 11 at 12 at 5, Westgate buildings, Bath. Wilton  
 McKenzie, James, Cheetham, Lancashire, Plumber. Nov 22 at 3 at offices of Kitson and Grundy, John Dalton st, Manchester  
 McNulty, James, Wigan, Lancashire, Boot Dealer. Nov 15 at 2 at offices of Wool, King st, Wigan  
 Mills, George, Wick and Abson, Gloucester, out of business. Nov 17 at 2 at Chard's Hotel, Bath. Beckingham, Bristol  
 Moore, John George, Gray's inn rd, Huddersfield. Nov 12 at 2 at offices of Ager, Barnard's inn, Holborn. Harris, Goldiman st  
 Moses, William Thomas, Plymouth, Devon, Draper. Nov 17 at 11 at offices of Greenway, Frankfort st, Plymouth  
 Manslow, Reuben, Droitwich, Worcester, Veterinary Surgeon. Nov 11 at 11 at offices of Tree, The Avenue, Cors, Worcester  
 Munson, William, Scarborough, York, Tobacconist. Nov 18 at 2 at offices of Corwall and Watts, Queen st, Scarborough  
 Murphy, Michael, Birmingham, Retail Brewer. Nov 15 at 12 at offices of Hawkes and Weeke, Temple st, Birmingham  
 Murray, Byron Hope, Bolton, Lancashire, Plumber. Nov 17 at 3 at Richardson, Wood st, Bolton  
 Murray, George Oswald, Richmond, Surrey, Private Tutor. Nov 15 at 3 at offices of Lay, Michell's place, Vineyard, Richmond  
 Murrell, William, and Alfred William Murrell, Yaxham, Norfolk, Corn Merchants. Nov 12 at 2 at offices of Stanley, Bank plain, Norwich  
 Nash, Joseph, Bewdley, Worcester, Saddler. Nov 17 at 11 at offices of Whitecombe, Lead st, Bewdley  
 Noakes, Horace, Lewes, Sussex, out of business. Nov 13 at 12 at offices of Langham, Robertson st, Hastings  
 Oxford, John, Aston-juxta-Birmingham, Builder. Nov 11 at 3 at offices of Mather and Porcia, Temple st, Birmingham  
 Parker, William, Birmingham, Cheesier, Builder. Nov 18 at 3 at offices of Parkinson, Commerce court, Lord st, Liverpool

Perry, John, Wolverhampton, Stafford, Paco's Clerk. Nov 23 at 13 at Office of Barrow, Queen st, Wolverhampton.  
 Frobie, William, Birmingham, Beer Retailer. Nov 15 at 11 at Office of Smith, Temple st, Birmingham.  
 Rendell, Henry, Leek, Staffordshire, Painter. Nov 19 at 2 at 2, Stockwell st, Leek.  
 Rich, Henry, Bristol, Haulier. Nov 12 at 12 at Office of Benson and Thomas, Broad st, Bristol.  
 Mr. Arthur, Rotherhithe st, Iron Merchant. Nov 10 at 2 at 111, Chesapeake. Allon and Edwards, Old Jerry.  
 Robinson, John, Scarborough, York, Butcher. Nov 12 at 11 at Office of Bartlett, Malton.  
 Shilcock, Alfred, Old Kent rd, Grocer. Nov 15 at 2 at Office of Izard and Beita, Eastcheap.  
 Simmons, John, and Robert Shurps, Queen Anne's gate, Westminster, Contractors. Nov 15 at 12 at the Inns of Court Hotel, High Holborn.  
 Moon, Lincoln's Inn fields.  
 Simpson, William, and Hannah Maria Simpson, Wombbridge, York, Innkeepers. Nov 16 at 3 at the Crown and Anchor Inn, Boist Fair, Pontefract, Lodge.  
 Smith, William, Scarborough, York, Tailor. Nov 19 at 3 at Office of Cornwall and Watts, Queen st, Scarborough.  
 Stevenson, John, Ashborne, Derby, Innkeeper. Nov 15 at 2 at Office of Holland and Rigby, St John st, Ashborne.  
 Tattersall, Samuel Hunt, Burton-on-Trent, Stafford, Printer. Nov 12 at 2 at Office of Wilson, Gaild st, Burton-on-Trent.  
 Taylor, John, Shearnes, Kent, Engineer R.N. Nov 8 at 12 at Office of Stoney, Sergeants' Inn, Fleet st, Copeland, Shearnes.  
 Thorby, Joseph, Haringham, Lincoln, Tailor. Nov 11 at 11 at Office of Dyer, Church lane, Boston.  
 Todd, William, Bridgnorth, Salop, Licensed Victualler. Nov 15 at 4 at the Bandon Arms Inn, Low town, Bridgnorth. Miller and Co, Kidderminster.  
 Turner, Ephraim, Newcastle-upon-Tyne, Grocer. Nov 16 at 2 at Office of Joel, Newgate st, Newcastle-upon-Tyne.  
 Veal, Sidney, Birmingham, Butcher. Nov 11 at 10.15 at Office of East, Eldon chambers, Cherry st, Birmingham.  
 Verity, Benjamin, Woolwich, Kent, Beerhouse Keeper. Nov 12 at 11 at Office of Buchanan, Basinghall st.  
 Vinyan, Thomas, Radgeworth, Gloucestershire, Farmer. Nov 16 at 3 at Office of Stroad, Clarence parade, Cheltenham.  
 Watkins, William, Alexandra rd, Upper Norwood, Gent. Nov 12 at 3 at the Guildhall Tavern, Gresham st, Rooks and Co, King st, Cheshire.  
 Weiraker, Thomas, Raine hill, nr St Andrews, York, Farmer. Nov 15 at 2 at Office of Hall and Baldwin, Clitheroes.  
 Youngerman, Solomon, Morris Youngerman, and Joseph Franklin, Manchester, Furniture Dealers. Nov 24 at 2 at Office of Rylance and Barker, Essex st, Manchester.

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 and quit-rent; freshhold ground-rents amounting to £15 per annum,  
 secured upon eight houses and shops, 142 to 155, Goldsmiths'-  
 row, and with reversions in 1878 and 1879 to rack rents, estimated at  
 £200; also reversions to four houses and shops, 158 to 164, Goldsmiths'-  
 row, and two freshhold houses and shops, 138 and 140, Goldsmiths'-  
 row, lot on lease at £71; and a nine-roomed residence, with garden in  
 rear 140 feet long, 6, Albert-villas, Manor-road, Brockley, lot at £39,  
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